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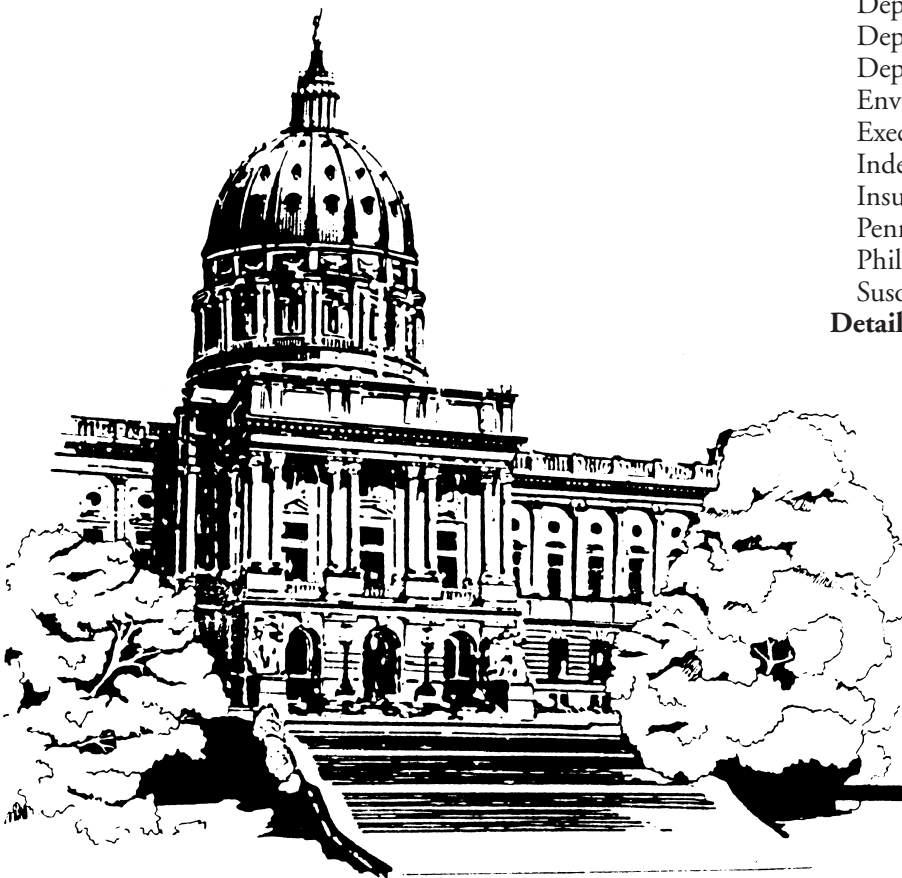
PENNSYLVANIA BULLETIN

Volume 42
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The General Assembly
The Courts
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Resources
Department of Environmental Protection
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Department of Transportation
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No. 456, November 2012

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2012.

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2012-04]

Governor's Innovation Office

March 22, 2012

Whereas, the challenging economic climate and resultant budgetary constraints necessitate that state government operate with maximum efficiency and within its means; and

Whereas, previous operational models and approaches to the administration of state government are no longer sufficient to address the challenges posed by the current economic environment; and

Whereas, the administration has been exploring the most efficient and cost effective ways to deliver state services, through meetings with other states to review best practices and meetings with internal and external advisors regarding privatization and innovation; and

Whereas, the Governor has determined that a dedicated and centralized commonwealth office, capable of working with the private and public sectors, would be best suited to drive commonwealth innovation, efficiency, cost saving solutions and track fiscal performance.

Now, Therefore, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the commonwealth do hereby establish the Governor's Innovation Office in the Governor's Office of Administration and do order and direct as follows:



Governor

Fiscal Note: 2012-04. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

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Subchapter YY. GOVERNOR'S INNOVATION OFFICE

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1.604. Responsibilities of Commonwealth agencies.
1.605. Effective date.
1.606. Rescission.

§ 1.601. Purpose.

The purpose of the Governor's Innovation Office (Office) is to create:

(1) An office dedicated to improving efficiency and productivity in State government operations through innovation, enhancing multiagency and

enterprise-wide coordination and maximizing use of internal and external resources to deliver significant cost savings to the Commonwealth.

(2) A portfolio of projects, that advances the Governor's priorities and identifies ways, consistent with existing initiatives, to enhance revenues, leverage and best utilize internal and external resources and provide a renewed emphasis on government innovation and customer service.

§ 1.602. Responsibilities.

(a) The Governor's Innovation Office (Office) shall be housed within the Governor's Office of Administration and managed by a Director appointed by the Secretary of the Office of Administration. The Office shall:

(1) Utilize agency and private sector individuals with expertise in innovation or in the subject matter to advance specific projects to maximize use of internal and external resources as appropriate.

(2) Create and maintain a portfolio of initiatives, as approved by the Steering Committee, that directly represents the Governor's priorities and monitors and regularly reports the status of initiatives to the Steering Committee.

(3) Identify innovation opportunities and sponsors for initiatives who would be the appropriate agency or party taking lead responsibility for achieving a defined goal or project.

(4) Ensure that projects assigned to specific agencies or other sponsors are completed successfully and that sponsorship support is maintained.

(5) Present new project opportunities to the Steering Committee.

(6) Remain fully and continuously engaged with agencies to identify new project needs and opportunities.

(b) The Steering Committee shall direct the activities of the Office and:

(1) Work with internal and external advisors as may be appropriate to advance the purpose of the Office.

(2) Advise and provide guidance to the Office in identifying innovation initiatives on an enterprise-wide and multiagency level across State government.

(3) Ensure that the priorities and initiatives of the Office align with the strategic objectives of the Governor.

(4) Approve a portfolio for the Office that prioritizes innovation and cost-reducing measures to be implemented by the Office.

§ 1.603. Composition.

The Steering Committee shall consist of:

(1) The Secretary of the Governor's Office of Administration, to serve as Chairperson.

(2) The Director of the Governor's Innovation Office, to serve as Secretary.

(3) The Director of Policy and Planning of the Office of the Governor.

(4) The Secretary of the Department of General Services.

(5) The Secretary of the Governor's Office of the Budget.

(6) Other individuals as the Governor may appoint, to serve at the pleasure of the Governor.

§ 1.604. Responsibilities of Commonwealth agencies.

Commonwealth agencies shall form agency innovation teams under direction from the Governor's Innovation Office (Office). The agency head shall select the agency team members. Agency innovation teams are responsible for implementing innovation initiatives defined by the Office and identifying new innovation opportunities and needs. Commonwealth agencies shall provide the Office with the support, resources and information necessary to fulfill its duties.

§ 1.605. Effective date.

This subchapter takes effect immediately.

§ 1.606. Rescission.

Executive Order 2003-3 is rescinded.

[Pa.B. Doc. No. 12-2183. Filed for public inspection November 9, 2012, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE**[4 PA. CODE CH. 6]****[EXECUTIVE ORDER NO. 2012-12]****Pennsylvania Military Community Protection Commission**

September 17, 2012

Whereas, the successful operations of the active, the reserve and the National Guard components of our nation's military are essential to the well-being and safety of our nation and of all Pennsylvania citizens; and

Whereas, the U.S. military installations, and organizations, and defense related regions comprised of military bases and the private sector enterprises that support them, which are located in the commonwealth are of vital importance to the efficient and effective operation of the various branches of the military and are a significant contributor to Pennsylvania's economy; and

Whereas, it is of vital importance to continually enhance the military value of the existing military installations and organizations stationed in Pennsylvania; and

Whereas, there is a need to have an integrated approach among all commonwealth agencies and stakeholders at the federal, state, and local levels and in the public and private sectors in the enhancement and preservation of the military installations and organizations located in Pennsylvania; and

Whereas, there is a need to always remain vigilant and to develop the requisite policies, programs and processes along with public and private resources to establish and maintain productive partnerships with the military installations and organizations and defense related regions in Pennsylvania; and

Whereas, there is a need to always be prepared to openly welcome all new federally-related missions, organizations and operations into the commonwealth; and

Whereas, there is a need for a Pennsylvania organization to be tasked with the responsibility of communicating recommendations, policies, plans and processes to each military installation and organization within the commonwealth in order to enhance their military value and to ensure the commonwealth becomes an exemplary host for all military organizations, the military and civilian members and their families.

Now, Therefore, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Pennsylvania Military Community Protection Commission as herein set forth.



Governor

Fiscal Note: 2012-12. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter RR. PENNSYLVANIA MILITARY COMMUNITY PROTECTION COMMISSION

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§ 6.531. Purpose.

The purpose of the Pennsylvania Military Community Protection Commission (Commission) shall be to assist the Governor by providing recommendations and input to enhance the military value of installations, organizations and defense related regions within this Commonwealth by providing and implementing the requisite recommendations, policies, plans and processes to achieve that goal. The Commission shall also assist in providing an understanding within the United States Department of Defense that this Commonwealth is a great place for the military and the defense related personnel and their families to live, work and recreate.

§ 6.532. Responsibilities.

(a) The responsibilities of the Pennsylvania Military Community Protection Commission (Commission) are to:

(1) Closely monitor the activities at the Federal level regarding an initiative or proposal which will affect either positively or negatively a military installation or organization and defense related regions in this Commonwealth.

(2) Establish a viable and long-term relationship with each military installation, organization and defense related region.

(3) Assist with the expansion of economic development opportunities and defense related industry regions within this Commonwealth.

(4) Educate and engage the stakeholders at the Federal, State and local levels and in the public and private sectors in the enhancement and preservation of military installations and organizations and defense related regions in this Commonwealth.

(5) Advocate at the Federal, State and local levels for the enhancement of military installations and organizations and defense related regions in this Commonwealth so that these entities fully support the Nation's military stationed at home and abroad.

(6) Coordinate and provide oversight over all aspects of the Commonwealth's initiative to enhance the military value of the installations and organizations and defense related regions in this Commonwealth.

(b) The Commission shall report its activities at least quarterly to the Governor or a designated representative.

(c) The Department of Community and Economic Development (Department) shall establish the Office of the Executive Director of the Commission and staff the office as deemed necessary by the Commission Chairperson and the Department to fulfill the Commission's purpose and responsibilities. Consultants will be employed as deemed necessary by the Commission in consultation with the Department.

§ 6.533. Composition.

(a) The Lieutenant Governor shall serve as the Chairperson of the Pennsylvania Military Community Protection Commission (Commission). Other members of the Commission shall consist of the following:

(1) Four members of the Military Installations and Base Development Caucus appointed as follows:

- (i) One member by the President Pro Tempore of the Senate.
- (ii) One member by the Minority Leader of the Senate.
- (iii) One member by the Speaker of the House of Representatives.
- (iv) One member by the Minority Leader of the House of Representatives.

(2) A member appointed by the Governor who has experience at the senior level of the military and is familiar with the operations represented by the installations and organizations stationed in this Commonwealth.

(3) Other members, as appointed by the Governor, who shall serve at the pleasure of the Governor, who are representatives of the military installations or organizations stationed in this Commonwealth and who have knowledge of the mission and operations of the installation or organization they will represent.

(4) An executive director, appointed by the Governor who is employed by the Department of Community and Economic Development, who shall serve at the pleasure of the Governor.

(b) Members of the Commission receive no compensation for their services. Members will be reimbursed for travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.534. Terms of membership.

(a) Members shall be appointed for terms of 2 years and continue to serve until successors are appointed. A member may be reappointed for one or more additional terms. Members appointed by the Governor serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Pennsylvania Military Community Protection Commission (Commission), a successor shall be appointed in accordance with § 6.533 (relating to composition). The successor shall be appointed for a full 2-year term. A successor may be reappointed for one or more additional terms.

(c) A member who is absent from two consecutive meetings of the Commission, without excuse, shall forfeit membership on the Commission.

§ 6.535. Responsibilities of Commonwealth agencies.

Commonwealth agencies, boards and commissions under the Governor's jurisdiction shall cooperate fully with the Pennsylvania Military Community Protection Commission on the implementation of this subchapter.

§ 6.536. Effective date.

This subchapter takes effect immediately.

§ 6.537. Termination date.

This subchapter will remain in effect unless revised or modified by the Governor.

[Pa.B. Doc. No. 12-2184. Filed for public inspection November 9, 2012, 9:00 a.m.]

THE GENERAL ASSEMBLY

Recent Actions during the 2012 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2012 Regular Session

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2012 General Acts of Regular Session Enacted—Act 144 through 205					
144	Oct 8	HB0728	PN3887	Immediately	Combustible and Flammable Liquids Act—regulations, prohibitions and signage requirements for retail service stations
145	Oct 8	HB1478	PN1785	60 days	County Code—hotel room rental tax
146	Oct 8	HB1617	PN3058	90 days	Vehicle Code (75 Pa.C.S.)—suspension of operating privilege for failure to respond to citation
147	Oct 8	SB0367	PN2349	Immediately	Indigenous Mineral Resources Development Act—enactment
148	Oct 24	HB0140	PN4213	90 days	Methadone Death and Incident Review Act—enactment
149	Oct 24	HB1310	PN3893	60 days	Liquor Code—limiting number of retail licenses to be issued in each county
150	Oct 24	HB1417	PN2634	60 days	Crimes Code (18 Pa.C.S.), Fish and Boat Code (30 Pa.C.S.) and Game and Wildlife Code (34 Pa.C.S.)—omnibus amendments
151	Oct 24	HB1548	PN4148	90 days	Child Labor Act—enactment
152	Oct 24	HB1616	PN3330	90 days	Associations Code (15 Pa.C.S.)—benefit corporations
153	Oct 24	HB1682	PN4185	60 days	Real and Personal Property (68 Pa.C.S.)—creation of land banks for the conversion of vacant or tax-delinquent properties into productive use
154	Oct 24	HB1718	PN3804	60 days	Pennsylvania Municipalities Planning Code—contents of subdivision and land development ordinance, completion of improvements or guarantee thereof prerequisite to final plat approval and release from improvement bond
155	Oct 24	HB1719	PN3805	60 days	General Local Government Code (53 Pa.C.S.)—purposes and powers of municipal authorities
156	Oct 24	HB1767	PN3481	60 days	Manufactured Home Community Rights Act—omnibus
157	Oct 24	HB1813	PN4149	60 days	Surface Mining Conservation and Reclamation Act—mining permit, reclamation plan and bond and land reclamation financial guarantees
158	Oct 24	HB1830	PN4214	180 days	Vehicle Code (75 Pa.C.S.)—special plates for individuals in the service of the United States Merchant Marine and special plates for United States military airborne units
159	Oct 24	HB1840	PN4061	60 days	Steel Products Procurement Act—required contract provisions
160	Oct 24	HB1857	PN4236	60 days	General Local Government Code (53 Pa.C.S.)—home rule, tax rates relating to cities and counties of the first class, exemptions from taxation, notices, appeals and certification of values, appeals to court and grantees of real property to register deed

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
161	Oct 24	HB1868	PN4074	60 days	Cosmetology Law—eligibility for examination and limited licenses
162	Oct 24	HB1884	PN4224	Immediately	Conveyance—Commonwealth property in multiple counties
163	Oct 24	HB1970	PN4216	60 days	Vehicle Code (75 Pa.C.S.)—vehicles exempt from registration and limits on number of towed vehicles
164	Oct 24	HB1991	PN4174	Immediately	Energy Conservation and Assistance Act—verification of eligibility, fraud reporting to Inspector General, conflict of interest policy, weatherization and energy conservation and performance audits by the Auditor General
165	Oct 24	HB2043	PN4218	Immediately	General Local Government Code (53 Pa.C.S.)—powers and duties of Municipal Police Officers' Education and Training Commission
166	Oct 24	HB2116	PN3445	Immediately*	Local Tax Collection Law—transition from township treasurers to tax collectors in first class townships
167	Oct 24	HB2293	PN4150	Immediately	Fish and Boat Code (30 Pa.C.S.)—serious unlawful take, taking or possessing by illegal methods and Lake Erie fishing permits
168	Oct 24	HB2324	PN3399	Immediately	Public Auditorium Authorities Law—competition in award of contracts
169	Oct 24	HB2366	PN4085	Immediately	Agriculture Code (3 Pa.C.S.)—specific powers and duties of Department of Agriculture and regulations, certified parking meter inspectors and general testing and inspections
170	Oct 24	HB2368	PN4217	60 days	Banking Code of 1965—omnibus amendments
171	Oct 24	HB2369	PN3774	60 days	Department of Banking Code—omnibus amendments
172	Oct 24	HB2370	PN3763	60 days	Loan Interest and Protection Law—residential mortgage interest rates
173	Oct 24	HB2371	PN4151	60 days	Vehicle Code (75 Pa.C.S.)—width of vehicles
174	Oct 24	HB2372	PN4219	Immediately*	Vehicle Code (75 Pa.C.S.)—vehicles exempt from registration, farm vehicles, requirement for periodic inspection of vehicles, operation of vehicle without official certificate of inspection, width of vehicles and length of vehicles
175	Oct 24	HB2407	PN3670	Immediately	Older Adults Protective Services Act—information relating to prospective facility personnel
176	Oct 24	HB2428	PN4076	60 days	Vehicle Code (75 Pa.C.S.)—issuance and content of driver's licenses
177	Oct 24	HB2460	PN4220	60 days	Multiple bridge and highway designations
178	Oct 24	HB2467	PN4079	60 days	Vehicle Code (75 Pa.C.S.)—transfer of vehicle ownership and certificate of salvage required
179	Oct 24	HB2530	PN4056	60 days	Pennsylvania Construction Code Act—administration and enforcement
180	Oct 24	HB2565	PN4058	60 days	Agriculture Code (3 Pa.C.S.)—required licenses and registration of food establishments

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
181	Oct 24	HB2591	PN3980	Dec. 31, 2012	Military and Veterans Code (51 Pa.C.S.) and State Government (71 Pa.C.S.)—calculation of military members' State Employees' Retirement System benefits
182	Oct 24	HB2630	PN4235	Immediately*	Animal Destruction Method Authorization Law—omnibus amendments
183	Oct 24	SB0079	PN2431	60 days	Judicial Code (42 Pa.C.S.)—foreign depositions and subpoenas
184	Oct 24	SB0444	PN2433	60 days	Local Option Small Games of Chance Act—omnibus amendments
185	Oct 24	SB0623	PN2454	60 days	Military and Veterans Code (51 Pa.C.S.)—contracting with veteran-owned small businesses and duties on Department of General Services and other Commonwealth purchasing agencies
186	Oct 24	SB1144	PN2077	60 days	Health Security Act—prohibiting insurers from setting fees for noncovered dentist services
187	Oct 24	SB1147	PN2453	60 days	Vehicle Code (75 Pa.C.S.)—omnibus amendments
188	Oct 24	SB1185	PN2274	Immediately*	First Class Township Code—appointment of township treasurers and election of tax collectors and duties and authority of the board of township commissioners
189	Oct 24	SB1255	PN2170	60 days	Elections (25 Pa.C.S.)—Uniform Military and Overseas Voters Act
190	Oct 24	SB1298	PN2410	Immediately	Pennsylvania Farmland and Forest Land Assessment Act of 1974—roll-back taxes and special circumstances and appeals
191	Oct 24	SB1345	PN2285	60 days	Wireless Broadband Collocation Act—enactment
192	Oct 24	SB1442	PN2386	One year	Military and Veterans Code (51 Pa.C.S.)—Pennsylvania Code of Military Justice and State Military and Justice Fund
193	Oct 24	SB1480	PN2074	Immediately	Capital Budget Act of 2012-2013—enactment
194	Oct 24	SB1531	PN2388	30 days	Military and Veterans Code (51 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—funds for Veterans' Trust Fund, contributions to Veterans' Trust Fund and special plates for veterans
195	Oct 24	SB1572	PN2322	Immediately	Qualifications for appointment in competitive class of civil service
196	Oct 25	HB0135	PN4060	60 days	Pennsylvania Commission on Crime and Delinquency Law—omnibus amendments
197	Oct 25	HB0235	PN4233	60 days	National Human Trafficking Resource Center Hotline Notification Act—enactment
198	Oct 25	HB0815	PN4234	60 days	Crimes Code (18 Pa.C.S.)—offense of sexual abuse of children and offense of transmission of sexually explicit images by minor
199	Oct 25	HB0898	PN0954	60 days	Crimes Code (18 Pa.C.S.)—sale or transfer of firearms
200	Oct 25	HB1121	PN4147	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—offense of recruiting criminal gang members and sentencing for offenses committed in association with a criminal gang

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
201	Oct 25	HB1794	PN2472	60 days	HIV-Related Testing for Sex Offenders Act—enactment
202	Oct 25	HB2400	PN4083	60 days	Crimes Code (18 Pa.C.S.)—omnibus amendments
203	Oct 25	SB0086	PN1680	60 days	Crimes Code (18 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—omnibus amendments
204	Oct 25	SB0850	PN2475	Immediately*	Crimes Code (18 Pa.C.S.), Judicial Code (42 Pa.C.S.) and Prisons and Parole Code (61 Pa.C.S.)—omnibus amendments
205	Oct 25	SB0941	PN2419	60 days	Crimes Code (18 Pa.C.S.)—public drunkenness and similar misconduct and purchase, consumption, possession or transportation of liquor or malt or brewed beverages

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the "Commonwealth of Pennsylvania."

ROBERT ZECH, Jr.,
Director

[Pa.B. Doc. No. 12-2185. Filed for public inspection November 9, 2012, 9:00 a.m.]

COMMISSION ON SENTENCING

Meetings Scheduled

The Commission on Sentencing (Commission) announces the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA:

Wednesday, December 12, 2012 6 p.m. Dinner Meeting
Harrisburg Hilton and Towers Hotel
One North Second Street
Harrisburg, PA

Thursday, December 13, 2012 9 a.m. Policy Committee Meeting
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, PA
1 p.m. Commission Meeting
Pennsylvania Judicial Center
601 Commonwealth Avenue
Harrisburg, PA

Commission meetings are open to the public. Direct any questions related to the Commission meetings to Mark H. Bergstrom, Executive Director, (814) 863-4368, mhb105@psu.edu.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 12-2186. Filed for public inspection November 9, 2012, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 1]

Adoption of Rule 125 of the Rules of Appellate Procedure; No. 220 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 24th day of October, 2012, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 41 Pa.B. 5954 (November 5, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 125 of the Pennsylvania Rules of Appellate Procedure is adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective November 1, 2012.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 125. Electronic Filing.

Electronic filing of documents in the appellate courts shall be through the PACFile appellate court electronic filing system. Electronic filing of documents shall be governed by an Administrative Order of the Supreme Court of Pennsylvania, which may be found at <http://ujportal.pacourts.us>.

Official Note: This is an interim rule permitting electronic filing of documents in the Pennsylvania appellate courts in accordance with instructions available at <http://ujportal.pacourts.us>. Initially, electronic filing will be available only in the Supreme Court. Subsequently, electronic filing will become available in the Superior and Commonwealth Courts. After experience is gained with electronic filing, the Pennsylvania Rules of Appellate Procedure will be amended where needed and as appropriate.

[Pa.B. Doc. No. 12-2187. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CHS. 300 AND 400]

Proposed Amendments to Rules 341 and 402

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt revisions to the Official Note to Rule 341, and Rule 402 of the Minor Court Civil Rules. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the Reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel
Supreme Court of Pennsylvania
Minor Court Rules Committee
Pennsylvania Judicial Center
P. O. Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9546
or email to: minorrules@pacourts.us

All comments shall be received no later than Friday, January 18, 2013.

By the Minor Court Rules Committee

MARY P. MURRAY,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

SATISFACTION OF MONEY JUDGMENTS

Rule 341. Request for Entry of Satisfaction; Service; Entry of Satisfaction.

A. If a judgment debtor has paid in full, settled, or otherwise complied with a judgment rendered in a magisterial district court, anyone interested in the judgment may request the entry of satisfaction of the judgment by filing a written request in the office of the magisterial district judge who rendered the judgment.

B. A request for entry of satisfaction by anyone other than the judgment creditor must be served upon the judgment creditor in accordance with the rules in the 300 Series regarding service of the complaint.

C. Within 90 days from the date of service of the request for entry of satisfaction, the judgment creditor shall enter satisfaction in the office of the magisterial district judge in which the request for entry of satisfaction was filed.

Official Note: Subdivision A provides a mechanism for a judgment debtor, or anyone interested in the judgment, to file a written request for entry of satisfaction in the office of the magisterial district judge who rendered the judgment. See Section 8104(a) of the Judicial Code, 42 Pa.C.S. § 8104(a).

Subdivision B is intended to provide a number of alternative methods of service. See Rules 307, 308, 309, 310, 311, 312 and 313. When permitted, service by mail should be at the option of the person filing the request for entry of satisfaction. The requester shall be required to pay for all costs associated with initiating entry of satisfaction. **If the requester is unable to locate or otherwise serve the request upon the judgment creditor, the requester may need to seek alternative service pursuant to Pa.R.C.P. 430.**

Upon the entry of satisfaction, the judgment debtor may file a true copy of the entry of satisfaction in any other magisterial district court in which the judgment may have been entered pursuant to Rule 402. Nothing in this rule is intended to suggest that it is the obligation of the judgment creditor to enter satisfaction in any court other than the court specified in subdivision C.

These procedures also apply to satisfaction of money judgments rendered in actions for the recovery of possession of real property (landlord/tenant actions). See Rules 514 and 518.

If a judgment creditor does not comply with the provisions of this rule, the judgment debtor may proceed under Rule 342.

A party may contest the entry of satisfaction by filing a petition to strike the entry of satisfaction with the court of common pleas.

CHAPTER 400. ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT JUDGES FOR THE PAYMENT OF MONEY

Rule 402. Request for Order of Execution. Entry of Judgment in Court of Common Pleas.

A. Execution of a judgment for the payment of money rendered by a magisterial district judge may be ordered by a magisterial district judge in whose office the judgment was rendered or entered, provided the plaintiff files in that office

(1) not before the expiration of 30 days from the date the judgment is entered by the magisterial district judge, and

(2) within five years of that date, a request for an order of execution.

B. The request form shall be attached to the order, return and other matters required by these rules.

C. The plaintiff may enter the judgment, for the purpose of requesting an order of execution thereon, in an office of a magisterial district judge other than that in which it was rendered only if levy is to be made outside the county in which the judgment was rendered and the office in which the judgment is entered for execution is that of the magisterial district judge whose magisterial district is situated in the county in which levy is to be made.

The plaintiff may enter the judgment in such other office by filing therein a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose existing office the judgment was rendered or by any other official custodian of the record.

D. (1) The plaintiff may enter the judgment in the court of common pleas in any county. When so entered, the indexing, revival and execution of the judgment shall be in accordance with procedures applicable in the court of common pleas.

(2) The judgment may be entered in the court of common pleas by filing with the prothonotary a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose office the judgment was rendered or by any other official custodian of the record.

(3) The judgment may be entered in the court of common pleas after 30 days from the date the judgment is entered by the magisterial district judge. The judgment may not be entered in the court of common pleas after five years from the date the judgment is entered by the magisterial district judge.

(4) **Within 14 days of entering the judgment in the court of common pleas, the plaintiff shall file a copy of the common pleas docket with the magisterial district court that entered the judgment, and the magisterial district court shall vacate the judgment from its docket.**

(5) Except as provided in subparagraph [D(5)] D(6) of this rule, once the judgment is entered in the court of common pleas all further process must come from the court of common pleas and no further process may be issued by the magisterial district judge.

[(5)] (6) The magisterial district judge shall enter satisfaction on the docket of the magisterial district court proceedings upon the filing by any party in interest of a certified copy of the docket entries of the court of common pleas showing the judgment and satisfaction have been entered in the court of common pleas.

E. (1) **As used in this rule, a judgment marked "expired" is a judgment that cannot be satisfied, revived, or vacated because the five year period designated in Rule 402 has elapsed.**

(2) **If the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas within five years of the date the judgment was entered by the magisterial district judge, then the judgment shall be marked expired.**

Official Note: Under subdivision A of this rule, the execution proceedings are commenced by requesting an "order of execution." The request may not be filed before the expiration of 30 days after the date the judgment is entered by the magisterial district judge. This will give the defendant an opportunity to obtain a supersedeas within the appeal period. The request must be filed within five years of the date the judgment is entered by the magisterial district judge. No provision has been made for revival of a judgment in magisterial district court proceedings.

Subdivision C provides for entering the judgment, for the purpose of requesting an order of execution, in an office of a magisterial district judge other than that in which the judgment was rendered when levy is to be

made outside the county in which the judgment was rendered. Compare Pa. R.C.P. No. 3002.

As to subdivision D, see Section 1516 of the Judicial Code, 42 Pa.C.S. § 1516. The 30 day limitation in the rule appears to be required by this Section. Certification by the magisterial district judge should not be done before the expiration of 30 days after the date of entry of the judgment. The only method available to renew a judgment would be to record the judgment in the Prothonotary's office prior to the expiration of the five-year period and then follow the applicable Rules of Civil Procedure for the revival of judgments. See Pa. R.C.P. No. 3025 et seq. Also, subdivision D makes clear that when the judgment is entered in the court of common pleas, all further process shall come from the court of common pleas and that no further process shall be issued by the magisterial district judge except that the magisterial district judge shall enter on the magisterial district court docket proof of satisfaction of a judgment that had been entered in the court of common pleas and subsequently satisfied in that court. This exception is necessary so that procedures exist for entering satisfaction of all judgments with the magisterial district court, regardless of whether the judgment has been certified to and satisfied in the court of common pleas. **A plaintiff filing a judgment in the court of common pleas is required to file a copy of the common pleas docket with the magisterial district court that entered the docket, and the magisterial district court will then vacate its judgment. This step ensures that only the enforceable common pleas judgment will be reportable as an outstanding liability of the defendant.**

Subdivision E provides that a judgment shall be marked expired if the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas within five years of the date the judgment was entered by the magisterial district judge. Limiting the time period for entry of the judgment to five years will give a plaintiff sufficient time to act without indefinitely penalizing a defendant.

REPORT

Proposed Amendments to the Official Note to Rule 341, and Rule 402 of the Minor Court Civil Rules

Civil Actions: Time Limits for Requesting an Order of Execution or Entering Judgment in a Court of Common Pleas

I. Introduction and Background

The Minor Court Rules Committee (the "Committee") is proposing amendments to the rules of procedure governing civil actions before magisterial district judges. The goal of these changes is to clarify (1) a defendant's options when a plaintiff cannot be located or otherwise served with a request for entry of satisfaction of judgment, and (2) the status of a judgment when a plaintiff has not executed it or entered it at a court of common pleas within the five year period set forth in Pa.R.C.P.M.D.J. No. 402, as well as to require that a plaintiff provide a copy of the common pleas docket when the plaintiff has entered a magisterial district court judgment with the court of common pleas.

The Committee received reports that some defendants have encountered difficulties when attempting to serve plaintiffs with requests to enter satisfaction of judgment because the plaintiffs have either moved, died, or are otherwise unavailable (e.g., corporate dissolution). Under current Pa.R.C.P.M.D.J. No. 341, the judgment creditor

must be served with the request and enter satisfaction of the judgment. Additionally, the Committee was advised that where a plaintiff enters a judgment at a court of common pleas pursuant to Pa.R.C.P.M.D.J. No. 402D, the judgment in the magisterial district court remains open and active because the magisterial district court is not advised of the action at common pleas. Moreover, it is incumbent upon the plaintiff to adhere to the requirement in Pa.R.C.P.M.D.J. No. 402D(4), and not take further action in the magisterial district court. Finally, the Committee also considered the scenario where five years from the date of the judgment has elapsed, and the plaintiff has not taken any action to either execute on the judgment in a magisterial district court, or enter it in a court of common pleas pursuant to Pa.R.C.P.M.D.J. No. 402. In all of these instances, defendants can be subject to adverse credit reporting because of these magisterial district court judgments, yet they have no effective means to update the record.

II. Proposed Rule Changes

A. Official Note to Rule 341: The Committee observed that rules governing civil practice before magisterial district judges do not provide for motions practice or a mechanism by which a defendant could demonstrate efforts to serve the plaintiff with the request for entry of satisfaction of judgment. Accordingly, the Committee is proposing amending the Official Note to Rule 341 to direct the defendant to the alternative service procedures in the courts of common pleas, specifically Pa.R.C.P. 430. In doing so, a defendant may be able to demonstrate to a judge of that court good faith efforts to locate the plaintiff, and receive an order directing a method of service, which, when satisfied, could satisfy the requirements of Pa.R.C.P.M.D.J. No. 341.

B. Rule 402: First, the Committee examined the situation where a plaintiff enters a judgment rendered by a magisterial district court with the court of common pleas. In these instances, the magisterial district court judgment remains open and active, and there is no current reporting mechanism that notifies the magisterial district court that the plaintiff has filed the judgment with the court of common pleas. Thus, the defendant could be subject to having two open judgments—one on the records of the magisterial district court, and the other at the court of common pleas. The Committee seeks to cure this problem by amending Rule 402 to add a requirement that a plaintiff that has entered a judgment in the court of common pleas must file a copy of the common pleas docket with the magisterial district court that entered the judgment, and that court will vacate the judgment from its docket. With this proposed change, the Committee anticipates that defendants will not be adversely affected by having two open judgments.

Next, the Committee examined situations where a plaintiff does not execute on a judgment or enter it at the court of common pleas within the five year period prescribed by Pa.R.C.P.M.D.J. No. 402, rendering the judgment unenforceable. The Committee discussed the need to more accurately reflect the status of such judgments, and suggests marking such judgments "expired" after the five year period has elapsed. Doing so will properly indicate that such a judgment is one that can no longer be enforced via the processes set forth in Pa.R.C.P.M.D.J. No. 402.

[Pa.B. Doc. No. 12-2188. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Appointment of Supervising Judge, Trial Division— Civil; Administrative Order No. 02 of 2012

Amended Order

And Now, this 25th day of October, 2012, upon consideration of the resignation of Judge Allan L. Tereshko as Supervising Judge, Trial Division—Civil, as of the close of the Court's business October 24, it is hereby Ordered that the Honorable Arnold L. New is appointed Supervising Judge of the Trial Division—Civil and shall serve at the pleasure of the Administrative Judge of the Trial Division, while at the same time continuing his duties as Coordinating Judge of the Complex Litigation / Mass Tort Program.

This Order is issued in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration. The original order shall be filed with the Prothonotary in a Docket maintained for Administrative orders issued by the Administrative Judge of the Trial Division, Court of Common Pleas of Philadelphia County, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, the Civil Procedural Rules Committee, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

By the Court

HONORABLE JOHN W. HERRON,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 12-2189. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Rule 205.4 Authorizing the Tax Assessment Appeals Optional E-Filing Program; No. 2012-J-56

Administrative Order

And Now, this 9th day of October 2012, *It Is Hereby Ordered That* the following Lehigh County Rule authorizing the Optional E-Filing Program for Tax Assessment Appeals be and the same is hereby *Adopted*, effective upon publication of this rule on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing the Optional E-Filing Program for Tax Assessment Appeals with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or

CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and publish a copy on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

By the Court

CAROL K. MCGINLEY,
President Judge

Rule 205.4. Electronic Filing of Tax Assessment Appeals Filed in the Clerk of Judicial Records—Civil Division.

(a)(1) *Authorization for Electronic Filing*

As required by Pa.R.C.P. No. 239.8, upon publication by the President Judge of Lehigh County on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>) of a Lehigh County local rule authorizing the electronic filing of tax assessment appeals, parties may electronically file all tax assessment appeal papers and exhibits with the Clerk of Judicial Records—Civil Division.

Note: Electronic filing of tax assessment appeal papers is optional. Tax assessment appeal filers may still file paper tax assessment appeals with the Clerk of Judicial Records—Civil Division in accordance with the rules of court. Instructions for filing paper tax assessment appeals can be found on the Court's website: <http://www.lccpa.org>

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All tax assessment appeal papers that are to be filed electronically shall be filed in Portable Document Format (PDF) (c)(1) Reserved

(c)(1) *Reserved*

(c)(2) *Website—Access to the Website*

(i) *Website.* If a filing party elects to commence an appeal by electronic filing, the tax assessment appeal papers shall be filed electronically through the Clerk of Judicial Records—Civil Division's Electronic Filing System "Odyssey File and Serve" (OFS) which shall be accessible through the Lehigh County Website, www.lehighcounty.org

(ii) *Access to the Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept for payment of all filing fees cash, checks, and the following credit and debit cards: American Express (AMEX), Discover, MasterCard, and Visa.

(ii) The credit or debit card will be charged with the convenience fee dictated by the credit card vendor for fees other than those charged for electronic filing.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P.No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P.No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer proceeded by /s/ accompanied by the attorney's printed name or a scanned document with an original signature. Verification shall be achieved through the use of an email address

and a password obtained from the OFS System. The OFS system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filing party under whose user name and password the legal filing is submitted.

(iii) The Clerk of Judicial Records—Civil Division shall provide to all email addresses registered by the submitting party a Courtesy Email acknowledging that the legal paper was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting the clerk's approval. Within six (6) business hours of the receipt of the legal paper, the Clerk shall provide the filing party with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal document shall be deemed to have been accepted for filing as of the date payment is received. The Clerk of Judicial Records—Civil Division is authorized to refuse for filing a legal document submitted without the requisite payment pursuant to 42 Pa.C.S. § 1725(c)(2)(xix).

Note: As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance. Legal documents can only be reviewed by the Clerk of Judicial Records staff during normal court hours. Therefore, parties are cautioned to file required legal documents well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal document is not accepted or is refused for filing.

(v) If a legal paper is refused for filing, the Clerk of Judicial Records shall notify the filing party and shall specify a reason for the refusal. Subject to the Rule 205.4(e)(1)(i), a legal paper refused for filing shall be deemed as not having been filed.

(vi) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vii) In the event any legal paper or exhibit is submitted for filing to the Clerk of Judicial Records—Civil Division in hard copy format/ paper for a case that had been initiated by electronic filing, the Clerk of Judicial Records shall convert the legal paper to a portable document format (pdf) and maintain such legal paper or exhibit in the electronic form. The Clerk of Judicial Records shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P.No. 205.4(b)(4) and Pa.R.C.P.No. 205.4(b)(5).

(viii) When an electronic filing for a new action has been accepted, the Clerk of Judicial Records shall electronically return a time-stamped copy to the filing party, who shall serve copies to all parties by regular mail. The filing party shall file with the Clerk of Judicial Records the Certificate of Service no later than thirty (30) days after the initial filing of the court papers.

Note: A copy of the Certificate of Service Form can be found on the Court's website: <http://www.lccpa.org>

(ix) When filing electronically, the filing party shall provide an electronic copy to the Court Administrator's Office in accordance with the instructions contained in the *Electronic Filing Users' Manual*.

[Pa.B. Doc. No. 12-2190. Filed for public inspection November 9, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated October 25, 2012, Katrina F. Wright is *Suspended* from the Bar of this Commonwealth for a period of 3 years effective November 24, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 12-2191. Filed for public inspection November 9, 2012, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Toussaint T. Tyson, having been suspended from the practice of law before the Board of Immigration Appeals, the Immigration Courts and the Department of Homeland Security for a period of 3 years by Order of the Board of Immigration Appeals dated September 2, 2010; the Supreme Court of Pennsylvania issued an Order dated October 25, 2012, suspending Toussaint T. Tyson from the practice of law in this Commonwealth for a period of 3 years, effective November 24, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 12-2192. Filed for public inspection November 9, 2012, 9:00 a.m.]

SUPREME COURT

Electronic Filing System in the Appellate Courts; No. 389 Judicial Administration Doc.

Order

Per Curiam

And Now, this 24th day of October, 2012, electronic filing of appellate court filings through the PACFile appellate court electronic filing system is hereby autho-

rized. The use of the PACFile system shall not affect the form or content of documents to be filed. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. After experience is gained with electronic filing, the Pennsylvania Rules of Appellate Procedure shall be amended to incorporate, where needed and as appropriate, procedures relating specifically to electronic filing and service of documents. In the interim, electronic filing and service shall be governed by this Order.

I. *Participation and Fees*

The PACFile system shall permit attorneys and parties proceeding without counsel to file electronically. An attorney must establish an account in order to use the PACFile system. An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account. The PACFile system will permit parties who are proceeding without counsel to access their cases through an authorization process. Service of electronic filings on attorneys who have established an account and on parties without counsel who have been authorized will be made automatically by the PACFile system.

Applicable filing fees shall be paid electronically through procedures established by the appellate courts and the Administrative Office of Pennsylvania Courts, and at the same time and in the same amount as required by statute, court rule or order. In addition to the filing fees now applicable, an online payment convenience fee for use of the PACFile system shall be imposed. *See* 204 Pa. Code § 207.3.

II. *Use of the Electronic Filing System*

(A) Electronic filings may be submitted at the UJS web portal: <http://ujportal.pacourts.us> beginning on November 1, 2012, in accordance with the filing instructions available at that site.

(B) Electronic filings may be submitted at any time (with the exception of periodic maintenance). The electronic filing must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

(C) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.

(D) Signatures on electronic filings shall use the following form: */s/ Chris L. Smith.*

(E) The original of a sworn or verified document that is an electronic filing (e.g., affidavit) or is contained within an electronic filing (e.g., verification) shall be maintained by the electronic filer and made available upon direction of the court or reasonable request of the signatory or opposing party.

(F) Use of the PACFile system shall constitute the filer's certification that:

(1) The submission is authorized; and

(2) Electronic notice and service of other documents through the PACFile system will be accepted by the filer.

(G) The submission of an electronic filing shall satisfy the service requirements of Pa.R.A.P. 121 and 122 on any attorney or party who has established a UJS web portal account.

(H) Service of electronic filings on any attorney or party who has not established a UJS web portal account shall be made by the traditional methods required under Pa.R.A.P. 121 and 122.

(I) Within seven days of the submission of any electronic filing, the electronic filer shall submit one paper version of the electronic filing to the court's filing office. The paper version of the electronic filing shall be considered the original for archival purposes only. The electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party except as provided in subsection (H), above.

(J) The procedures described in this order apply in lieu of those prescribed by the Pennsylvania Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise the Rules of Appellate Procedure continue to apply with full force and effect.

[Pa.B. Doc. No. 12-2193. Filed for public inspection November 9, 2012, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 86]

Coal Mining Fees

The Environmental Quality Board (Board) amends Chapter 86 (relating to surface and underground coal mining; general). The final-form rulemaking establishes a schedule of fees for coal mining activity permit applications.

This order was adopted by the Board at its meeting of July 17, 2012.

A. *Effective Date*

This final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*.

B. *Contact Persons*

For further information, contact Thomas Callaghan, Director, Bureau of Mining Programs, P. O. Box 8461, Rachel Carson State Office Building, Harrisburg, PA 17105-8461, (717) 787-5103; or Richard S. Morrison, Executive Deputy Chief Counsel, Office of Chief Counsel, P. O. Box 2063, Rachel Carson State Office Building, Harrisburg, PA 17105-2063, (717) 787-4449. Persons with a disability may use the AT&T Relay Service, (800) 654-5988 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at www.depweb.state.pa.us.

C. *Statutory Authority*

The final-form rulemaking is adopted under the authority of section 5 of The Clean Streams Law (35 P.S. § 691.5); sections 4(a) and 4.2 of the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.4(a) and 1396.4b); section 3.2 of the Coal Refuse Disposal Control Act (52 P.S. § 30.53b); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20).

D. *Background and Purpose*

Section 4(a) of the Surface Mining Conservation and Reclamation Act states: "The department is authorized to charge and collect from persons a reasonable filing fee. Such fee shall not exceed the cost of reviewing, administering and enforcing such permit." The final-form regulations revise permit application review fees for coal mining activity permits. A schedule of fees for coal mining activity permit applications is included.

The coal mining regulatory program (program) is funded, in part, through a grant from the Federal government under Title V of the Surface Mining Control and Reclamation Act (30 U.S.C.A. §§ 1201—1328). Under this grant, funds are provided to cover the costs of up to 50% of the program. The Commonwealth must provide matching funds. The State share has been provided through the General Fund appropriation to the Department. For the most recent Federal Fiscal Year from October 2011 through September 2012, the Title V grant provided about \$11.8 million towards total program costs of approximately \$23.7 million, with the State share of about \$11.8 million coming almost entirely from General Fund

appropriations because the current fees generate only about \$50,000 per year in revenue. It is estimated that the revised fees established by this final-form rulemaking will generate about \$400,000 per year in revenue.

This fee schedule is the result of a process where the Department worked with the Mining and Reclamation Advisory Board (MRAB). The proposed fee amounts were calculated using a workload analysis system, the primary purpose of which is to manage staffing for the program. The workload analysis assigns a specific number of hours to each task (that is, type of permit application) based on historical data recording hours spent by staff for permit reviews. Factors used for the fee calculations include the hourly wage rates for the employees who typically perform a given task, benefits and overhead. Wages are paid in accordance with a pay scale that has 20 steps for each pay range. For the purpose of the fee schedule, the first step (that is, the lowest wage rate) was used. Benefits (for example, health insurance, retirement and leave/holidays) cost the Commonwealth approximately 41% of the wage rate. Operational costs (for example, management, rent and utilities) cost the Commonwealth about 30% of the wage rate. The 30% figure is used to represent the costs described as "indirects" under the Title V grant application. This schedule establishes fees calculated to cover only a portion of the State share of the workload cost (that is, about 37%, or 3/8 of the total cost) for the selected authorizations. The list of authorizations included in the fee schedule is not exhaustive. There are other types of applications for which fees are not included (for example, minor revisions, blast plans, completion reports, preapplications and annual bond reviews).

Fee Calculation Example

A new surface mining permit takes Department staff about 200 hours to review. These applications are reviewed by staff in pay range 8 (step 1 for 2010 is \$25.64/hour). Adding 41% for benefits, 30% for overhead and multiplying by 200 hours, then multiplying by 3/8 results in \$3,288 or \$3,250 if the amount is rounded off.

MRAB

At a meeting in October 2009, the Department presented a proposed rulemaking package to the MRAB that included a proposed permit application fee schedule. The MRAB would not endorse the proposal and requested the Department work with an MRAB committee to develop an alternative proposal. The MRAB's objection to the proposed rulemaking was the amount of the fees (for example, the proposed fee for a new surface mining permit was \$11,675). The October 2009 proposal contained permit application fees designed to cover the State share of the Department's costs to review mining permit applications. It was estimated that the October 2009 fee proposal would have generated about \$1.2 million per year in revenue.

In response to the MRAB's recommendations, the Department met several times with the MRAB's Regulatory, Legislative and Technical (RLT) Committee. During this process, various options were explored, including trying to develop a fee approach that would generate the full State share for funding the program (that is, about \$11.8 million). This option was dismissed as unrealistic based on industry opposition and the fact that it would represent a dramatic policy shift from the status quo where the fees are nominal. The approaches taken by other states and the Federal Office of Surface Mining were also

reviewed. The result of this process was a series of recommendations adopted by the MRAB at their January 2010 meeting. The recommendations are summarized as follows:

- Because permit fees have not gone up since 1982, a permit fee increase from the current amount of \$250 per application (\$500 for coal refuse disposal permit applications) is reasonable.
- Any increase in permit fees should be dedicated exclusively to finance the program permit review process.
- The Department should not establish fees which would discourage or provide disincentives to reining activities and their reclamation benefits to the Commonwealth.
- It is reasonable to ask the industry to contribute to funding some part of the program.
- The MRAB would like to continue to advise the Department on appropriate permit fee assessment and allocations.

The RLT Committee met on March 15, 2010, and reviewed a proposal containing permit application fees and an annual administrative fee that would have generated about \$750,000 per year in revenue. The RLT Committee decided to report to the full Board their recommendation to proceed with the section of the draft regulations regarding permit application fees, but to recommend the Department not implement the annual administration fees. At the April 22, 2010, meeting, the MRAB recommended that the Department proceed with a fee approach that includes only permit application fees in a form that would generate about \$400,000 per year in revenue. This final-form rulemaking follows these MRAB recommendations.

The proposed rulemaking was published at 42 Pa.B. 1228 (March 10, 2012) with a 30-day comment period. Comments were not received during the public comment period. In addition, on May 9, 2012, the Independent Regulatory Review Commission (IRRC) provided notice that it reviewed the proposed rulemaking and did not have objections, comments or recommendations to offer.

The final-form rulemaking is adopted as proposed (that is, changes were not made to the proposed regulations). The final-form rulemaking was approved by the MRAB at a special meeting on May 15, 2012.

E. Summary of Regulatory Requirements

§ 86.1. Definitions

Definitions are added for the terms "major permit revision" and "permit application fee." These definitions are needed to implement the fee schedule.

§ 86.3. Use of Coal Refuse Disposal Control Fund

This section is amended to add subsection (b), which necessitates the lettering of the existing paragraph as subsection (a). Subsection (b) is intended to provide clarity regarding the use of the money collected from permit application fees that are deposited in the Coal Refuse Disposal Control Fund. This reflects the MRAB's recommendation that the money collected from the fees should be used specifically for the Department's cost of reviewing permits.

§ 86.17. Permit and reclamation fees

Subsection (a) is amended to include a detailed fee schedule for coal mining permit activity applications. The requirement to pay by check is deleted from subsection

(a) to allow applicants the option of paying by other methods (for example, credit card).

Subsection (b) sets forth the detailed permit application fee schedule.

Subsection (c) is amended to specify that the money collected from permit application fees will be used by the Department to pay the costs of reviewing permit applications. This reflects the MRAB's recommendation that the money collected from the fees should only be used for the Department's cost of reviewing permits.

Subsection (d) establishes a framework for periodically reviewing the fee schedule and providing a report to the Board regarding the Department's costs and the necessity for changes to the permit application fees.

F. Benefits, Costs and Compliance

This final-form rulemaking enables the Commonwealth to generate a percentage (less than 5%) of the State share of the funds required to operate the program.

Compliance Costs

The final-form rulemaking imposes additional compliance costs on the regulated community (approximately 500 mine operators) of about \$350,000 per year. Currently, permit application fees cost the operators about \$50,000 per year. The fee schedule is estimated to cost operators about \$400,000 per year.

Compliance Assistance Plan

The Department will provide written notification to all coal mine operators to inform them of this final-form rulemaking.

Paperwork Requirements

This final-form rulemaking requires the Department to update its fact sheets explaining the law and regulations.

G. Pollution Prevention

This final-form rulemaking does not modify the pollution prevention approach by the regulated community and maintains the multimedia pollution prevention approach of existing requirements in 25 Pa. Code (relating to environmental protection).

H. Sunset Review

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

I. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 29, 2012, the Department submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 1228, to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on September 19, 2012, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory

Review Act, the final-form rulemaking was deemed approved by IRRC effective September 19, 2012.

J. Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) These regulations do not enlarge the purpose of the proposed rulemaking published at 42 Pa.B. 1228.

(4) These regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this preamble.

K. Order

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 25 Pa. Code Chapter 86, are amended by amending §§ 86.1, 86.3 and 86.17 to read as set forth at 42 Pa.B. 1228.

(b) The Chairperson of the Board shall submit this order and 42 Pa.B. 1228 to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

(c) The Chairperson of the Board shall submit this order and 42 Pa.B. 1228 to IRRC and the Senate and House Environmental Resources and Energy Committees as required by the Regulatory Review Act.

(d) The Chairperson of the Board shall certify this order and 42 Pa.B. 1228 and deposit them with the Legislative Reference Bureau, as required by law.

(e) This order shall take effect immediately.

MICHAEL L. KRANCER,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 42 Pa.B. 6352 (October 6, 2012).)

Fiscal Note: Fiscal Note 7-476 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 12-2194. Filed for public inspection November 9, 2012, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Banking and Securities

The Executive Board approved an organization of the Department of Banking and Securities effective October 18, 2012.

The organization chart at 42 Pa.B. 7017 (November 10, 2012) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

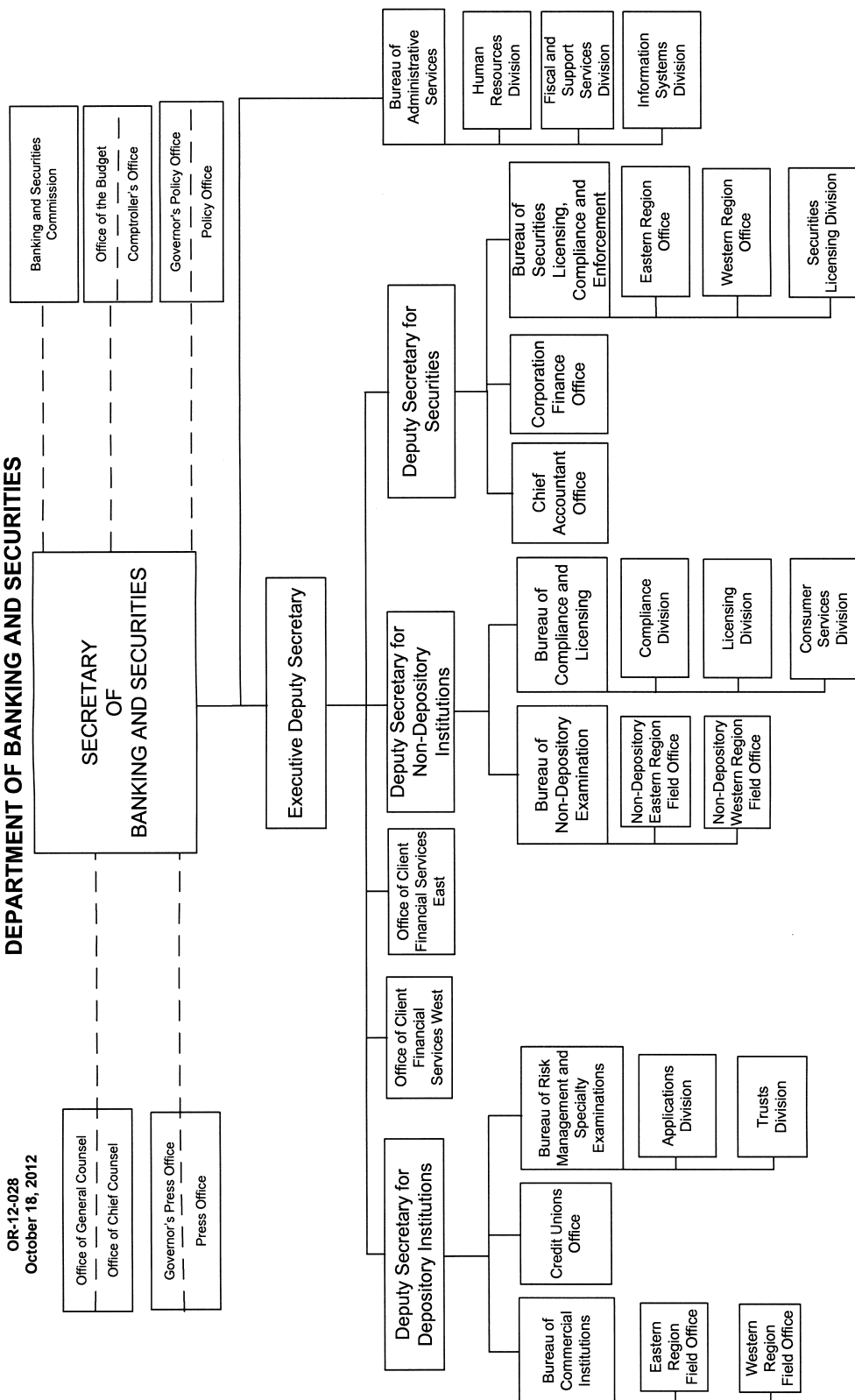
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

(Editor's Note: Under the act of July 2, 2012 (P. L. 814, No. 86), the Securities Commission was transferred to the Department of Banking and Securities. Therefore, the organization chart of the former Securities Commission currently appears at 4 Pa. Code pages 9-61 and 9-62, serial pages (316179) and (316180) will be removed.)

[Pa.B. Doc. No. 12-2195. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

OR-12-028
October 18, 2012



NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 23, 2012.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-19-2012	First Priority Financial Corp. Malvern Chester County	Approved
	Application for approval to acquire 100% of Affinity Bancorp, Inc., Wyomissing, and thereby indirectly acquire 100% of Affinity Bank of Pennsylvania, Wyomissing.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-19-2012	First Priority Bank Malvern Chester County	Approved
	Application for approval to merge Affinity Bank of Pennsylvania, Wyomissing, with and into First Priority Bank, Malvern.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-18-2012	Huntingdon Valley Bank Huntingdon Valley Montgomery County	900 Pine Valley Boulevard Philadelphia Philadelphia County	Approved
10-18-2012	Marion Center Bank Indiana Indiana County	279 Beaver Street Hastings Cambria County	Approved
10-18-2012	Northwest Savings Bank Warren Warren	1 West Chocolate Avenue Hershey Dauphin County	Approved
10-18-2012	Susquehanna Bank Lititz Lancaster County	Route 140 and Englar Road Westminster Carroll County, MD	Approved
10-18-2012	Susquehanna Bank Lititz Lancaster County	215 Key Highway Baltimore Baltimore City, MD	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-18-2012	Susquehanna Bank Lititz Lancaster County	<i>To:</i> 2900 Whiteford Road York York County <i>From:</i> 2951 Whiteford Road York York County	Approved

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-18-2012	Royal Bank America Narberth Montgomery County	<i>Into:</i> 105 West Fourth Street Bridgeport Montgomery County <i>Into:</i> 655 West Dekalb Pike King of Prussia Montgomery County <i>From:</i> 106 Beidler Road King of Prussia Montgomery County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-18-2012	Susquehanna Bank Lititz Lancaster County	22 Light Street Baltimore Baltimore City, MD	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.state.pa.us includes public notices for more recently filed applications.

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 12-2196. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Intent to Turn Back Old Possessions Road to the Local Governing Entity

The Department of Conservation and Natural Resources (Department), Bureau of Forestry, announces the intent to turn back Old Possessions Road to the local governing entity in Ward Township, Tioga County, extending from Mountain Ridge Road to River Road. Total turn back length is 3.8 miles to Ward Township, Tioga County, to maintain and improve.

Ownership of the real property underlying the roadway shall continue to be retained by the Department in regard to State Forest Land and by private property owners for those portions of the road crossing privately owned property.

If Ward Township vacates the roadway, the status of the roadway shall be automatically reinstated and turned back from Ward Township, Tioga County, to the Commonwealth.

The turn back of Old Possessions Road, Ward Township, Tioga County will be effective November 10, 2012, the date of publication in the *Pennsylvania Bulletin*.

RICHARD J. ALLAN,
Secretary

[Pa.B. Doc. No. 12-2197. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062570 (Sewage)	Covington Township Sewer Authority P. O. Box 266 Moscow, PA 18444	Lackawanna County Covington Township	Roaring Brook (5-A)	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032328 (Sewage)	Hickory Hills Mobile Home Community, LLC 121 Hickory Hills Drive Bath, PA 18014	Northampton County Moore Township	UNT to East Branch Monocacy Creek (02C)	Y

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080837 (Sew)	Conodoguinet Mobile Estates PO Box 175 Newville, PA 17241	Cumberland County/ Lower Mifflin Township	Conodoguinet Creek / 7-B	Y
PA0083267 (SW)	Bluescope Buildings North America 400 North Weaver Street Annville, PA 17003	Lebanon County / Annville Township	Swatara Creek / 7-D	Y
PA0084395 (IW)	State Correctional Institution at Camp Hill 2500 Lisburn Road Camp Hill, PA 17001	Cumberland County Lower Allen Township	Cedar Run / 7-E	Y
PA0088757 (IW)	Mount Union Municipal Authority 9 West Market Street PO Box 90 Mount Union, PA 17066	Huntingdon County Shirley Township	Singers Gap Run / 12-C	Y
PA0085111 (IW)	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601	Blair County Antis Township	Tipton Run / 11-A	Y

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0239984 (Sewage)	Laurie J. Mandel SRSTP 286 Shades Beach Road, Erie, PA 16511	Erie County Harborcreek Township	Unnamed Tributary to Lake Erie (15)	Y
PA0103217 (Sewage)	Tate Road Sewage Treatment Plant 9333 Tate Road Erie, PA 16509	Erie County Greene Township	Unnamed Tributary to Fourmile Creek (15)	Y
PA0034045 (Sewage)	Horseshoe Subdivision— Lagoon Sewage Treatment System 3601 Hartman Road, Erie, PA 16509	Erie County Greene Township	Unnamed Tributary to Fourmile Creek (15)	Y

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

PA0085723, Sewage, SIC Code 4952, **SYC WWTP, L.P.**, 93 Hillside Drive, Steamboat Springs, CO 80487-3095. Facility Name: SYC WWTP. This existing facility is located in Springfield Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream, Seaks Run, is located in State Water Plan watershed 7-H and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Total Annual</i>		<i>Average Monthly</i>		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	Report	Report	XXX	1.0	XXX	2.0
	Total Mo					

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

Southwest Regional Office: Regional Manager, Clean Water, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; 412-442-4000

PA0026328, Sewage, SIC Code 4952, **Hopewell Township**, 1700 Clark Boulevard, Aliquippa, PA 15001. Facility Name: Raccoon Creek STP. This existing facility is located in Hopewell Township, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Raccoon Creek, is located in State Water Plan watershed 20-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 011 are based on a design flow of 2.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	5	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.15	XXX	0.5
CBOD ₅						
May 1 - Oct 31	313	469	XXX	15	22.5	XXX
Nov 1 - Apr 30	521	792	XXX	25	38	XXX
BOD ₅						
Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	626	938	XXX	30	45	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	84	125	XXX	4	6	XXX
Nov 1 - Apr 30	250	375	XXX	12	18	XXX

The EPA Waiver is not in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401.

WQM Permit No. WQG02151207, Sewage, **East Goshen Municipal Authority**, 1580 Paoli Pike, West Chester, PA 19380-6107.

This proposed facility is located in East Goshen Township, **Chester County**.

Description of Action/Activity: Construction and operation of force main extension to divert Hershey Mill Pump station flows from West Goshen's Chester Creek STP to East Goshen's Ridley Creek STP.

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

WQM Permit No. 566S051-A3, Sewerage, **Patton Borough**, PO Box 175, Patton, PA 16668

This existing facility is located in Elder Township, **Cambria County**

Description of Proposed Action/Activity: Permit amendment application.

WQM Permit No. 3012401, Sewerage, **Consol PA Coal Company, LLC**, PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323

This proposed facility is located in Morris Township, **Greene County**

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment plant.

WQM Permit No. 0285431-A2, Sewerage, **Robinson Township Municipal Authority**, PO Box 15539, Pittsburgh, PA 15244-0539

This existing facility is located in Robinson Township, **Allegheny County**

Description of Proposed Action/Activity: Permit amendment application.

WQM Permit No. 0270466-A1, Sewerage, **Robinson Township Municipal Authority**, PO Box 15539, Pittsburgh, PA 15244-0539

This existing facility is located in Robinson Township, **Allegheny County**

Description of Proposed Action/Activity: Permit amendment application.

WQM Permit No. 0212401, Sewerage, **Chatham University**, Woodland Road, Pittsburgh, PA 15232

This proposed facility is located in Richland Township, **Allegheny County**

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment plant.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1506004-R	Longview Swinehart, LP 1055 Westlakes Drive, Suite 1709 Berwyn, PA 19312	Chester	West Brandywine Township	Beaver Creek (CWF); Culbertson Run (HQ-TSF-MF)
PAI01 5106002-R Phase 27	City of Philadelphia, Division of Aviation, Philadelphia International Airport Terminal D-3 3rd Floor Philadelphia, PA 19153	Philadelphia	City of Philadelphia	Mingo Creek/ Delaware River (WWF-MF)

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, 570-629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024512007	Robert K. Latzanich P. O. Box 759 Mount Pocono, PA 18344	Monroe	Coolbaugh Twp.	Tank Creek, HQ-CWF, MF; Red Run, HQ-CWF, MF

Wayne County Conservation District: 648 Park St., Honesdale, PA 18431, 570-253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026412009	PPL Electric Utilities Corp. 2 North 9th St. Allentown, PA 18101	Wayne	Paupack Twp.	Wallenpaupack Creek Basin (source to dam) HQ-CWF, MF; Middle Creek Basin, HQ-CWF, MF

Northampton County Conservation District: 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064, 610-746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024812016	Blaine Phillips Phillips & Phillips 3747 Hecktown Road Easton, PA 18045	Northampton	Lower Nazareth Twp.	Unnamed Tributary to Bushkill Creek, HQ-CWF, MF

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033612010	CNA Construction, LLC 138 Bentley Ln Lancaster, PA 17601	Lancaster	Martic Township	UNT of Pequea Creek (HQ/CWF)

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
M&E Farm 710 Pfoutz Valley Rd Millerstown, PA 17062	Perry	283.7	805.48	Swine	none	New
Weiler Farms 1 350 East Mill Ave. Myerstown, PA 17067	Lebanon	0	586.03	Swine	NA	Renewal
Weiler Farms 2 436 Lawn Road Palmyra, PA 17079	Lebanon	0	879.04	Swine	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Weiler Farms 3 226 Ridge Road Jonestown, PA 17038	Lebanon	0	966.95	Swine	NA	Renewal
Longacre Farm Path Valley Road Dry Run, PA 17220	Franklin	51, 0 acres available for manure	576.82	Swine	NA	Renewal

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Apple Shamrock Farm c/o Robert & Christine Waddell 32821 Guys Mills Road Townville PA 16360	Crawford	1820	1375	Dairy	HQ	R

PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

Application No. 2660023

Applicant	Clarendon Acres Water Company
[Township or Borough]	Tunkhannock Township Wyoming County
Responsible Official	D. Scott Zaner, President Clarendon Acres Water Company P. O. Box 458 Tunkhannock, PA 18657
Type of Facility	Community Water System
Consulting Engineer	NA
Application Received Date	October 22, 2012
Description of Action	Application to transfer PWS operation permit No. 2660023 from Clarendon Acres Water Association to Clarendon Acres Water Company.

Application No. 3912504MA

Applicant	Lehigh County Authority
[Township or Borough]	Upper Macungie Township Lehigh County
Responsible Official	Aurel M. Arndt, General Manager Lehigh County Authority 1053 Spruce Street P. O. Box 3348 Allentown, PA 18106
Type of Facility	Community Water System
Consulting Engineer	Kirt Ervin, PE US Engineering, LLC 13742 Mary Lane Aviston, IL 62216 314-614-9120
Application Received Date	October 15, 2012
Description of Action	Application for recoating the interior of the 5 MG Reservoir No. 2.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

Application No. 5612507GWR, Minor Amendment.

Applicant	Somerset Township Municipal Authority PO Box 247 Somerset, PA 15501
[Township or Borough]	Somerset Township
Responsible Official	David Hottle, Operator Somerset Township Municipal Authority PO Box 247 Somerset, PA 15501
Type of Facility	Water system
Consulting Engineer	Somerset Planning & Engineering Services, LLC 222 West Main Street Suite 100 Somerset, PA 15501
Application Received Date	October 25, 2012
Description of Action	Resubmittal of the demonstration of 4-log treatment for groundwater sources

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Envi- ronmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of

the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Patriot Federal Credit Union Residential Property, 233 Schoolhouse Road, Saint Thomas, PA 17252, Saint Thomas Township, **Franklin County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Patriot Federal Credit Union, PO Box 778, Chambersburg, PA 17201, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health standard and remain a residential dwelling.

Campus Grill, 430 Harrisburg Pike, Lancaster, PA 17603, City of Lancaster, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of 430 Harrisburg Pike, LP, 903 Wheatland Avenue, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with leaded gasoline. The site will be remediated to the Statewide Health and Site Specific standards, and remain a restaurant.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

MonValley Transportation Center Property, 1060 Ohio Avenue, Boroughs of Glassport and Lincoln, **Allegheny County**. Shaw Environmental & Infrastructure, Inc., 2790 Mossdale Blvd., Monroeville, PA 15146 on behalf of J.D. Shearer, 17 Arentzen Blvd., Suite 206, Charleroi, PA 15022 has submitted a Notice of Intent to Remediate site groundwater contaminated with Metals, PAHs & VOCs. The future use of the property is to remain non-residential storage and handling of coal.

GenOn Power Midwest, L.P., Cheswick Power Station, 151 Porter Street, Borough of Springdale, **Allegheny County**. Shaw Environmental, Inc., 2790 Mossdale Boulevard, Monroeville, PA 15146 on behalf of Kelly Hamilton, 121 Champion Way, Suite 300, Canonsburg, PA 15317 has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with Fuel Oil No. 2. The notice of the intent to remediate was published in the *Valley News Dispatch* on September 14, 2012.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401-7671q) and regulations adopted under the Federal Clean Air Act.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001-4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

54-322-009: CES Landfill (PO Box 322, 99 Commonwealth Road, Hegins, PA 17938) for the increase in SOs

emissions from the landfill gas flares at their facility in Foster, Frailey and Reilly Twps., **Schuylkill County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

65-00865C: DNP IMS America Corp.—Pittsburgh (1001 Technology Drive, Mt. Pleasant, PA 15666-1766) for installation of a second coating line with four coating units, a new toluene recovery unit, a new RTO, a new toluene storage tank, and two small natural gas fired steam boilers at their facility in East Huntingdon, **Westmoreland County**.

04-00468D: S.H. Bell Company (644 Alpha Drive, PO Box 11495, Pittsburgh, PA 15238) for construction of a planned handling of frac sand (i.e. silica-type sand) which will be characterized by one emission unit located at the existing Stateline Terminal in Ohioville Borough, **Beaver County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

09-0010B: TEVA Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) for addition of a proposed Glatt 120 Fluid Bed Processor to its facility in West Rockhill Township, **Bucks County**. The potential volatile organic compound emissions from this source will be shared with an existing Glatt 120 Fluid Bed Processor that was previously permitted under plan approval 09-0010B and were estimated to be 11.7 tons per year on a 12-month rolling sum basis. The facility limit for volatile organic compound emissions is 24 tons per year on a 12-month rolling sum basis.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

40-317-034: Hershey Company (6 Scotch Pine Drive, Hazle Township, PA 18202) for construction and operation of a baking oven on Line #5 at its facility in Hazle Township, **Luzerne County**. The sources main emission is NO_x and VOCs. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-949-705-4863

21-05026: Carlisle SynTec, Inc. (1295 Ritner Highway, Carlisle, PA 17013) for their rubber roofing manufacturing plant in Carlisle Borough, **Cumberland County**. This is a renewal of the facility's Title V operating permit.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to renew an Air Quality Operating Permit for the abovementioned facility.

The plant is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). The plant's three boilers are subject to 40 CFR Part 63, Subpart JJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. An air compressor engine is subject to 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Actual facility emissions for 2011 included 18.6 tons of particulate matter, 29.6 tons of volatile organic compounds, 3.7 tons of carbon monoxide and 9.4 tons of hazardous air pollutants.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

William R. Weaver, Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104

Contact: Edward Wiener, Chief—Telephone: 215-685-9426

V11-018: Monroe Interstate Pipeline Co. LLC,—Philadelphia Terminal (G Street and Hunting Park Ave., Philadelphia, PA 19124) for operation of a gasoline terminal facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two petroleum products loading racks, nine petroleum products storage tanks (five with vapor pressure < 11 psia and three with vapor pressure ≤ 1.5 psia), and two oil-water separators. The facility's gasoline loading is controlled by a vapor recovery unit.

This permit also reflects the change of ownership from ConocoPhillips, Philadelphia Terminal and facility name from Monroe Interstate Pipeline Co. LLC, Philadelphia Terminal

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Mr. Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00021: MRI Flexible Packaging Co. (122 Penns Trail, Newtown, PA 18940) for renewal of a State Only Operating Permit for a packaging printing plant in Newtown Township, **Bucks County**. The facility has taken restriction to remain a synthetic minor for VOC emissions. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

15-00009: AGC Chemicals Americas, Inc. (255 South Bailey Road, Downingtown, PA 19335) for renewal of the State Only Operating Permit, which was issued on December 26, 2007, and amended on February 26, 2009 in Caln Township, **Chester County**. This proposed renewal of the State Only Operating permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. AGC manufactures polymer products using a fluidized bed dryer and drying ovens, which are controlled by the scrubber & cyclone/fabric collector. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

39-00056: Lehigh County Wastewater Treatment Plant (7676 Industrial Boulevard, Allentown, PA 18106) for operation of odor control equipment in the Upper Macungie Township, **Lehigh County**. The proposed State-only Operating Permit contains other applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-03091: The Rose Corp. (P. O. Box 15208, Reading, PA 19612-5208) for operation of a steel structure fabrication facility including a painting operation controlled by dry filters in the City of Reading, **Berks County**. This is a renewal of their State-Only Operating Permit issued in 2007.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility has the potential-to-emit 38 tpy PM, 7 tpy VOC and 4 tpy combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Tom Hanlon, Facility Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

67-05095: Osram Sylvania, Inc. (1128 Roosevelt Avenue, York, PA 17404) for their light bulb base and precision metal stamping manufacturing facility in West Manchester Township, **York County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility had the following actual emissions in 2011: 14.0 tons NO_x; 13.7 tons VOC; 8.9 tons SO_x; 1.5 tons PM₁₀; 0.6 ton PM_{2.5}; 0.4 ton CO; 4.5 tons trichloroethylene (TCE); 2.1 tons methanol; 6.6 tons total HAPs; 567 tons CO₂; 21 tons CH₄; 21 tons N₂O; and 7,518 tons CO₂e. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. The Detrex conveyorized vapor degreaser (Source ID 101) is subject to 40 CFR Part 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning. The diesel emergency generator (Source ID 107) is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are

available for public review during normal business hours at the PA DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period from the date of publication of this notice in the *Pennsylvania Bulletin* will exist for the submission of comments or protests.

William R. Weaver, Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

21-03098: HP Enterprise Services LLC (225 Grandview Avenue, Camp Hill, PA 17011) for operation of six (6) emergency generators, an emergency fire pump engine and two (2) space heaters at their facility in East Pennsboro Township, **Cumberland County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

Annual emissions at the facility are estimated to be less than 17 tons per year of NO_x, 13 tons per year of CO, 2 tons per year of SO_x and less than one ton each of PM₁₀, VOC and combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines for one of the engines.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments, protests or requests for a public hearing.

William R. Weaver, Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

67-03001: Frito-Lay, Inc. (3553 Gillespie Drive, York, PA 17404) for their snack food manufacturing plant in West Manchester Township, **York County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility.

The subject facility employs mist eliminators and fabric filters to control emissions from frying and material handling. Potential particulate matter (PM) emissions from the facility are estimated at several tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Copies of the renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

William R. Weaver, Regional Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

17-00044: Metaltech, Inc. (3547 Watson Highway, DuBois, PA 15801) for their powdered metal parts manufacturing facility located in Sandy Township, **Clearfield County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 17.13 TPY of VOC; 2.66 TPY of PM₁₀; 0.78 TPY of NO_x and 0.33 TPY of CO. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the

address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period from the date of publication of this notice in the *Pennsylvania Bulletin* will exist for the submission of comments or protests.

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174

03-00215: (Allegheny Mineral Corporation, P O Box 1022, One Glade Park East, Kittanning, PA 16201) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) to Allegheny Mineral Corporation to authorize the operation of their limestone preparation facility located in Franklin Township, **Armstrong County**.

Sources at this facility will consist of crushers, screens, conveyors, storage piles and other miscellaneous equipment associated with this type of operations. Facility shall be limited to throughput of 800 tons per hour and 2,500,000 tons per 12 month rolling total. Annual potential emissions from the facility are estimated to be 65.34 tons of total particulate matter and 20.63 tons of PM₁₀. This installation is subject to State and Federal regulations, including 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

Arrangements may be made to review the application at our offices. Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Operating Permit renewal may written comments to Barbara Hatch, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222, 412-442-5226 (bhatch@pa.gov). A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify OP-03-00215), and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where DEP determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara Hatch at the location identified above.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426

N12-037: SPC Corporation, (2600 Penrose Avenue, Philadelphia, PA 19145), for operation of scrap metal shredding facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 6000 horsepower (hp) shredder with magnetic separation and conveyors. Control Devices at the facility includes two (2) 50 gal/min water spray systems and deluge tank.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

56120114 and NPDES No. PA0269158. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface mine in Elk Lick and Summit Townships, **Somerset County**, affecting 353.0 acres. Receiving stream(s): unnamed tributaries to/and Casselman River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 15, 2012.

56060105 and NPDES No. PA024997. AMFIRE Mining Company, LLC, One Energy Place, Suite 2800, Latrobe, PA 15650, revision of an existing bituminous surface and auger mine to change the land use from unmanaged natural habitat to industrial/commercial use in Jenner Township, **Somerset County**, affecting 120.1 acres. Receiving stream(s): unnamed tributaries to/and Quemahoning Creek to the Stoney Creek River to the Conemaugh River classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority. (There are no potable water supply intakes within 10 miles downstream). Application received: October 25, 2012.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

61070101. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface and sandstone removal mine in Clinton Township, **Venango County** affecting 16.5 acres. Receiving streams: Unnamed tributary to Gilmore Run and Gilmore Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: October 22, 2012.

33860107 and NPDES Permit No. PA0107123. Terry Coal Sales, Inc. (P. O. Box 58, Distant, PA 16223) Renewal of an existing bituminous surface mine in Perry & Oliver Townships, **Jefferson County** affecting 67.0 acres. Receiving streams: Big Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: October 26, 2012.

61120107 and NPDES Permit No. PA0259331. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a bituminous surface mine in Irwin Township, **Venango County** affecting 62.7 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 22, 2012.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

54061302R and NPDES Permit No. PA0224341. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite underground mine operation for reclamation activities only in Porter Township, **Schuylkill County** affecting 61.3 acres, receiving stream: Wiconisco Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: October 9, 2012.

Noncoal Applications Received

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

10060306. Quality Aggregates, Inc. (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Revision to change the post-mining land use from forestland to unmanaged natural habitat on the property of Quality Aggregates, Inc. in Marion Township, **Butler County** affecting 54.5 acres. Receiving streams: Five unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch Slippery Rock Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 25, 2012.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200

08120306. M. R. Dirt, Inc. (21186 Route 187, Towanda, PA 18848). Commencement, operation and restoration of a large noncoal surface mine (overburden and shale/bluestone) located Asylum Township, **Bradford County** affecting 36.7 acres. Receiving streams: Unnamed Tributary to Bennetts Creek to Bennetts Creek to Susquehanna River classified as Warm Water Fishes.

There are no potable water supply intakes within 10 miles downstream. Application received: October 12, 2012.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

7973SM2C13 and NPDES Permit No. PA0043901. Hanson Aggregates BMC, Inc., (7600 Imperial Way, Allentown, PA 18195), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County** affecting 154.9 acres, receiving stream: unnamed tributary to Neshaminy Creek, classified for the following uses: trout stock fishes and migratory fishes. Application received: October 4, 2012.

09120301 and NPDES Permit No. PA0612243. Haines & Kibblehouse, Inc., (P. O. Box 196, Skippack, PA 19474), commencement operation and restoration of a quarry operation (replacing SMP Nos. 7974SM5 and 09070301) in Hilltown Township, **Bucks County** affecting 155.8 acres, receiving stream: tributary to North Branch Neshaminy Creek, classified for the following use: trout stocking fishes. Application received: October 12, 2012.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87-90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

*The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

*The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated

before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

NPDES No. PA0259225 (Permit No. 10110107). Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) New NPDES permit for a bituminous surface mine in Fairview Township, **Butler County**, affecting 28.0 acres. Receiving streams: Unnamed tributary to South Branch Bear Creek, classified for the following uses: WWF. TMDL: None. Application received: October 12, 2012.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributary to South Branch Bear Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	Y
TB	Y
ST	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		1.7	3.4	4.3
Manganese (mg/l)		1.6	3.2	4.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (milliosmoles/kg)				50

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary to South Branch Bear Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				4.3
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717.705.4802.

E34-133: Pennsylvania Department of Transportation, Engineering District 2-0, 1924 Daisy Street Ext., PO Box 342, Clearfield, PA 16830, in Monroe Township Juniata County, ACOE Baltimore District

To: 1) remove the existing structure, 2) construct and maintain a 28.42-foot long, 1.0-foot depressed with baffles, 11.0- × 5.0-foot reinforced concrete box culvert in Stony Run (TSF), with a depressed concrete apron extending 8.95 feet upstream and downstream and a depressed rock apron extending an additional 5.0 feet upstream and downstream, and 3) relocate and maintain approximately 28.0 feet of an unnamed tributary to Beaver Spring (TSF, MF), all for the purpose of improving transportation safety and roadway standards. The project is located along SR 2017 in Monroe Township, Juniata County (Beaver Spring, PA Quadrangle; Latitude: 40°39'06", Longitude: -77°09'13").

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E5729-041: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Forks Township, Sullivan County, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 16 inch diameter fresh waterlines impacting 4 linear feet of an unnamed tributary to Lick Creek (EV) (Overton, PA Quadrangle 41°32'15"N, 76°33'09"W);

2) two 16 inch diameter fresh waterlines impacting 3 linear feet of an unnamed tributary to Lick Creek (EV) (Overton, PA Quadrangle 41°32'22"N, 76°33'14"W);

3) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 908 square feet of an exceptional value palustrine emergent/scrub shrub/forested (EV—PEM/PSS/PFO) wetland (Overton, PA Quadrangle 41°32'27"N, 76°33'08"W);

4) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 2,225 square feet of an exceptional value palustrine emergent/scrub shrub/forested (EV—PEM/PSS/PFO) wetland (Overton, PA Quadrangle 41°32'27"N, 76°33'08"W);

5) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 25 linear feet of an unnamed tributary to Streby Run (EV) (Overton, PA Quadrangle 41°33'03"N, 76°31'50"W);

6) two 16 inch diameter fresh waterlines impacting 4 linear feet of an unnamed tributary to Streby Run (EV) (Overton, PA Quadrangle 41°32'50"N, 76°31'23"W).

The project will result in 3,133 square feet (0.07 acre) of temporary wetland impacts and 36 linear feet of temporary stream impacts, all for the purpose of installing fresh waterlines for Marcellus well development in Forks Township, Sullivan County.

E5729-040: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Cherry Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 323 square feet of an exceptional value palustrine emergent/scrub shrub (EV-PEM/PSS) wetland and 21 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'55"N, 76°25'53"W);

2) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 26 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'23"N, 76°26'25"W);

3) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 53 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'57"N, 76°26'20"W);

4) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 39 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'56"N, 76°26'34"W);

5) two 16 inch diameter fresh waterlines impacting 3 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'52"N, 76°26'48"W);

6) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 33 linear feet of Lick Creek (EV) (Dushore, PA Quadrangle 41°31'53"N, 76°26'50"W);

7) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 20 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'52"N, 76°26'54"W);

8) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 22 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°31'48"N, 76°26'57"W);

9) two 16 inch diameter fresh waterlines and a temporary access road using timber matting impacting 20 linear feet of Mill Creek (EV) (Dushore, PA Quadrangle 41°31'58"N, 76°27'54"W);

10) two 16 inch diameter fresh waterlines impacting 891 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Dushore, PA Quadrangle 41°31'05"N, 76°28'15"W)

The project will result in 1,214 square feet (0.03 acre) of temporary wetland impacts and 237 linear feet of temporary stream impacts, all for the purpose of installing fresh waterlines for Marcellus well development in Cherry Township, Sullivan County.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105

D32-087EA. David Putt, Vice Chairman/Operator, Green Township Municipal Authority, 77 Musser Street, Commodore, PA 15729. Green Township, **Indiana County**, ACOE Pittsburgh District.

Project proposes to remove Commodore Dam for the purpose of restoring the stream to a free flowing condition and eliminating a threat to public safety. The dam is located across a tributary to North Branch Two Lick Creek (CWF). (Commodore, PA Quadrangle, Latitude: 40.7130; Longitude: -78.9392).

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460

Cumberland Coal Resources, LP, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. Cumberland Coal is proposing to construct two jurisdictional dams (one slurry impoundment and one sediment basin) within Cumberland Coal Refuse Disposal Area No. 3. The total disposal area will impact 3.1 acres of wetlands (PEM) and approximately 31,000 lineal feet of stream, providing 3.7 acres of wetland mitigation and appropriate stream compensation.

D30-069. Cumberland No. 3 Slurry Impoundment Dam. To construct Cumberland No. 3 Slurry Impoundment Dam across a tributary to Whiteley Creek (TSF) for the purpose of coal refuse disposal. (Oak Forest, PA Quadrangle Latitude: 39.811 Longitude: -80.132). Whiteley Township, **Greene County**.

D30-081. Cumberland No. 3 Sediment Pond Dam. To construct Cumberland No. 3 Sediment Pond Dam across a tributary to Whiteley Creek (TSF) for the purpose of providing sediment control for the Cumberland CRDA No. 3 site. (Oak Forest, PA Quadrangle Latitude: 39.807 Longitude: -80.130). Whiteley Township, **Greene County**.

D16-032, D16-033, D16-034. Clarion Altela Environmental Services, LLC, 7500 Meridian Place NW, Suite B, Albuquerque, NM 87121. To construct, operate and maintain Refrac/Production Water Dam, Production Water No. 1 Dam and Production Water No. 2 Dam in the watershed of Piney Creek (CWF) for the purpose of frac water treatment. (Clarion, PA Quadrangle N: 8.72 inches; E: 8.29 inches) in Piney Township, **Clarion County**.

Southwest Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

[Permit # 95-7-37312-16]. CNX Gas Company LLC, 200 Evergreene Drive, Waynesburg, PA 15370.

Project proposes to construct, operate and maintain the NV North #2 Centralized Pit, a centralized impoundment

with a capacity of 5.9 million gallons, to collect, store and reuse fracturing fluids from **NV-36A-HS: Permit No. 37-125-24563-00-01** and existing and future permitted wells in the area (PA Quadrangle; Prosperity, (Latitude N

40° 05' 44.15", Longitude W -80° 18' 02.25"), South Franklin Township, **Washington County**, Pittsburgh ACOE District, State Water Plan Basins 20F, Chartiers Creek and 19B, Tenmile Creek.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0034118 (Sewage)	Jack Frost Mountain STP Blue Ridge Real Estate Co. 110 Jack Frost Mountain Road Blakeslee, PA 18610	Carbon County Kidder Township	Porter Run (2-A)	Y

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0248037 (Sew)	Bethel Township Municipal Authority PO Box 24 Bethel, PA 19507-0024	Berks County Bethel Township	Little Swatara Creek / 7-D	Y
PA0111350 (Sew)	Petersburg Borough Sewer Authority PO Box 6 Petersburg, PA 16669	Huntingdon County Petersburg Borough	Shaver Creek / 11B	Y
PA0083089 (GWCU)	Tyco Electronics Corporation MS 038-34, PO Box 3608 Harrisburg, PA 17105-3608	York County Springfield Township	Seaks Run via Larkin Pond / 7-H	Y

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0205338 Sewage	Donald W. Walch 204 Brallier Drive Ligonier, PA 15658-9268	Westmoreland County Ligonier Township	UNT of Loyalhanna Creek	Y
PA0001406 Industrial Waste	Braeburn Alloy Steel 101 Braeburn Road Lower Burrell, PA 15068-2299	Westmoreland County Lower Burrell City	Allegheny River	Y

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0005029 (Industrial Waste)	Piney Power Plant 2000 River Road, Clarion, PA 16214	Clarion County Piney Township	Clarion River (17-B)	Y
PA0100382 (Industrial Waste)	Erie Coke Corporation Foot of East Avenue Erie, PA 16512-6180	Erie County City of Erie	Presque Isle Bay—Outer Harbor (15)	Y
PA0037915 (Industrial Waste)	Tionesta Fish Culture Station 172 Fish Hatchery Lane Tonesta, PA 16353-9729	Forest County Tionesta Borough	Allegheny River (16-F)	Y
PA0210668 (Sewage)	Andromeda House 39132 Mt Pleasant Road Spartansburg, PA 16434	Crawford County Bloomfield Township	Unnamed Tributary to Pine Hollow Run (16-E)	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

NPDES Permit No. PA0013064, SIC Code 2816, **Rockwood Pigments N A Inc.**, 1525 Wood Avenue, Easton, PA 18042-3186.

This existing facility is located in Easton City, **Northampton County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater, non-contact cooling water and stormwater from a facility that makes inorganic pigments, specifically iron oxide.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

NPDES Permit No. PA0026123 A-1, Sewage, **Columbia Municipal Authority**, 308 Locust Street, Columbia, PA 17512-1121.

This proposed facility is located in Columbia Borough, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-G.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

PA0263991, Sewage, SIC Code 8800, **Jill Petty**, 25 Elm Street, Youngsville, PA 16317. Facility Name: Jill Petty SRSTP. This proposed facility is located in Pittsfield Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sanitary wastewater.

The receiving stream, an Unnamed Tributary to the Brokenstraw Creek, is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401

WQM Permit No. 0912403, Sewage, **Bethel Baptist Church**, 754 East Rockhill Road, Sellersville, PA 18960.

This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Action/Activity: Replacing old existing treatment plant with new one. No change in loading or use.

WQM Permit No. 4612402, Sewage, **Norristown Municipal Waste Authority**, 235 E. Airy Street, 2nd Floor, Norristown, PA 19401.

This proposed facility is located in Norristown Borough, **Montgomery County**.

Description of Action/Activity: Installation of a new post aeration system with two concrete tanks, a new 40 Hp blower, air diffusers, a dissolved oxygen meter and an air flow meter.

WQM Permit No. 0981420 T1, Amendment 1, Renewal, **Quakerwoods Campground, Inc.**, 2225 Rosedale Road, Quakertown, PA 18951.

This proposed facility is located in Milford Township, **Bucks County**.

Description of Action/Activity: Approval for the renewal of the existing Quakerwoods Campground wastewater treatment plant.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

WQM Permit No. 4012403, Sewage, SIC Code 8221, **PA State University**, 101P Physical Plant Bldg., University Park, PA 16802.

This proposed facility is located in Lehman Township, **Luzerne County**.

Description of Proposed Action/Activity: This project involves replacing the existing 0.050 MGD wastewater treatment plant at the PA State University Wilkes-Barre Campus. The new plant will include flow equalization, fine screening, a membrane bioreactor activated sludge system and ultraviolet disinfection.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. 3612204, CAFO, **Kreider Farms** 455 Indian Village Road Manheim, PA 17545.

This proposed facility is located in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Approval granted for the construction of a reinforced concrete manure storage facility consisting of 5 sections. The first two sections have dimensions of 47.17' x 8' x 4'. The middle two sections have dimensions of 46.5' x 8' x 6'. The final section has dimensions of 28.66' x 76' x 12'. These segments are connected and the manure is able to flow freely from section to section.

WQM Permit No. 5012202, CAFO, **Porcine Farms LLC** 411 Chestnut Street, Lebanon, PA 17042.

This proposed facility is located in Jackson Township, **Perry County**.

Description of Proposed Action/Activity: Granted approval to renovate/replace an existing swine barn with shallow pit manure storage at Perry Meadows Farm.

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

WQM Permit No. WQG026137, Sewerage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108

This proposed facility is located in Moon Township, **Allegheny County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sewer system.

WQM Permit No. 6312401, Sewerage, **Live Nation Pittsburgh**, 665 Route PA 18, Burgettstown, PA 15021

This proposed facility is located in Hanover Township, **Washington County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station.

WQM Permit No. 1171401-A4, Sewerage, **Nanty Glo Borough Sanitary Sewer Authority**, 879 Wood Street, Nanty Glo, PA 15943-1371

This existing facility is located in Nanty Glo Borough, **Cambria County**

Description of Proposed Action/Activity: Permit amendment issuance.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

WQM Permit No. 2512403, Sewage, **Summit Township Sewer Authority**, 8890 Old French Road, Erie, PA 16509.

This proposed facility is located in Summit Township, **Erie County**.

Description of Proposed Action/Activity: This application is for a new Water Quality Management Individual Part II Permit for the construction of three new sewer extensions.

WQM Permit No. 6212403, Sewage, **Jill Petty**, 25 Elm Street, Youngsville, PA 16317.

This proposed facility is located in Pittsfield Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management permit for a single residence sewage treatment plant.

WQM Permit No. 6171402, Amendment No. 1, General Authority of the City of Franklin, 430 Thirteenth Street, Franklin, PA 16323.

This existing facility is located in City of Franklin, **Venango County**.

Description of Proposed Action/Activity: Issuance of an amendment of Water Quality Management (WQM) part II permit number 6171402 to modify the aeration system currently in place.

WQM Permit No. WQG018851, Kevin M. Tobin, 3301 Dynes Avenue, Erie, PA 16510. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone 717.705.4802.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032112004	Carlisle Area School District (Lambertown Middle School) 623 West Penn Street Carlisle, PA 17013-2239	Cumberland	Carlisle Borough	Letort Spring Run (EV)

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

General Permit Type—PAG-02

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Coatesville Borough Chester County	PAG0200 1505066-RR	Southview Place, LP 1657 Warpath Road West Chester, PA 19382	Unnamed Tributary West Branch Brandywine Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Marlborough Township Chester County	PAG0200 1509040A-1R	Advanced Geoservices 1055 Andrew Drive, Ste A West Chester, PA 19380	Doe Run (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Township Chester County	PAG0200 1510023-R	Beneficial Bank 530 Walnut Street Philadelphia, PA	East Branch White Clay Creek (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Nether Providence Township Delaware County	PAG0200 2307013-1	Wallingford-Swarthmore School District 200 South Providence Road Wallingford, PA 19086-6334	Dicks Run/Crum Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511223	Enon Tabernacle Baptist Church 2800 West Cheltenham Avenue Philadelphia, PA 19150	Tacony-Frankford Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Scranton, Lackawanna County	PAG02003512004	Pennsylvania American Water Company 800 West Hershey Park Drive Hershey, PA 17033	Stafford Meadow Brook, WWF,MF	Lackawanna Co. Cons. Dist. 570-281-9495
City of Scranton, Lackawanna County	PAG02003512014	Geisinger Systems Services David S. Stellfox 100 N. Academy Ave. Danville, PA 17822	Unnamed Tributary to Lackawanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
City of Scranton, Lackawanna County	PAG02003512011	Shea Place Development Inc. Jamie Valvano 1302 Dunham Dr. Dunmore, PA 18512	Roaring Brook, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717.705.4802

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bern Township Berks County	PAG02000612015	Stephen Essig VSM Properties PO Box 1578 Reading, PA 19603	UNT to Plum Creek/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Shoemakersville Borough Berks County	PAG02000612033	Steven Keifer Hamburg Area School District 701 Windsor Street Hamburg, PA 19526	Pigeon Creek/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Lemoyne Borough Cumberland County	PAG02002104042R(1)	John Huenke Cornerstone Development Group, Inc. 200 Bailey Drive, Suite 202 Stewartstown, PA 17363	UNT to Susquehanna River/WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Penn Township Lancaster County	PAG02003610064R	JWB Partnership 100 Highlands Drive, Suite 200 Lititz, PA 17508	UNT Chickies Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Columbia Borough Lancaster County	PAG02003612047	Susquehanna Valley Nursing & Reh. 745 Old Chickies Hill Road Columbia, PA 17512	UNT Susquehanna River/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003612061	Jacobson Companies 1700 Cloister Drive Lancaster, PA 17601	Little Conestoga Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Warwick Township Lancaster County	PAG02003612063	Henry Walter III 303 Reachcliff Drive Shepherdstown, WV 25443	Little Conestoga Creek/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Penn Township Lancaster County	PAG02003612066	The Nissley Family Trust 1966 Newport Road Manheim, PA 17545	Chiques Creek/ WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Penn Township Lancaster County	PAG02003612071	Kreider Farms 1461 Lancaster Avenue Manheim, PA 17545	Chiques Creek/ Lititz Run/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manor Township Lancaster County	PAG02003612079	Fieldcrest Associates 4591 Marietta Avenue Columbia, PA 17512	West Branch Little Conestoga Creek/ TSF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Drumore Township Lancaster County	PAG02003612080	Mark & Anna Risser 1196 Holtwood Road Holtwood, PA 17532	Muddy Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Decatur Township Mifflin County	PAG02004412003	Groff Poultry Operation 1004 Village Road Lancaster, PA 17602	Jack's Creek/CWF	Mifflin Co. Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717.248.4695
Manchester Township York County	PAG02006707043R	York County Rail Trail Authority PO Box 335 Seven Valleys, PA 17360	Codorus Creek: Main Stem, Oil Creek to Mouth/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
North Hopewell Township York County	PAG02006712047	Greg Innerst 5253 Deer Road Red Lion, PA 17536	N.B. Muddy Creek/ CWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
West Manheim Township York County	PAG02006705049R	Reservoir Heights, LLC 2700 Philadelphia Road Edgewood, MD 21040-1120	Conewago Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Jackson Township York County	PAG02006704060R	Joseph Myers 160 Ram Drive Hanover, PA 17331	Codorus Creek/ WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
Dover Township York County	PAG02006708048R	P. C. Sekhar Chadaga 110 Inverness Drive Blue Ball, PA 19422	Fox Run/TSF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430
West Manchester Township York County	PAG02006710001R	Albright Care Service, Inc. 1700 Normandie Drive York, PA 17408	Little Conewago Creek/TSF, Willis Run/WWF	York Co. Conservation District 118 Pleasant Acres Rd York, PA 17402-8984 717.840.7430

NOTICES

7043

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Red Lion Borough
York County

PAG02006712041

Red Lion Borough
11 East Broadway, PO Box 190
Red Lion, PA 17356

Fishing Creek/TSF,
Pine Run/CWF

York Co.
Conservation
District
118 Pleasant Acres
Rd
York, PA 17402-8984
717.840.7430

*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701
570.327.3636*

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Sandy Township
Clearfield County

PAG02001712017

PA Dept of Transportation
PO Box 342
Clearfield PA 16830

Pentz Run
CWF
Soldier Run
CWF

Clearfield County
Conservation
District
511 Spruce St Ste 6
Clearfield PA 16830
(814) 765-2629

W Chillisquaque
Township
Northumberland
County

PAG02004912008

North Union United Soccer Club
41 N Front St
Lewisburg PA 17837

UNT Chillisquaque
Creek WWF, MF

Northumberland
Cnty Conservation
Dist
441 Plum Creek Rd
Sunbury PA 17801
(570) 495-4665

Putnam &
Covington Twps.
Tioga County

PAG02005912009

William Robinson
16064 Route 6
Mansfield PA 16933

Tioga River CWF

Tioga County
Conservation
District
50 Plaza Ln
Wellsboro PA 16901
(570) 724-1801 ext. 5

Mansfield Boro
Tioga County

PAG02005912010

Daniel Dobell
Mansfield Univ
Mansfield PA 16933

Corey Creek CWF

Tioga County
Conservation
District
50 Plaza Ln
Wellsboro PA 16901
(570) 724-1801 ext. 5

W Buffalo Twp.
Union County

PAG02006012009

Leroy Horning
643 Steffen Rd
Mifflinburg PA 17844

Coal Run CWF, MF

Union County
Conservation
District
Union County
Government Center
155 N 15th St
Lewisburg PA 17837
(570) 524-3860

Penn Township
Butler County

PAG02001012031

Mountain Gathering LLC
Attn: Mr. Dewey Chalos
810 Houston Street
Fort Worth TX 76102

Connoquenessing
Creek CWF

Butler County
Conservation
District
724-284-5270

Summit Township
Erie County

PAG02002507021R

Maleno Developers
2340 W. Grandview Blvd,
Suite 1
Erie PA 16506

UNT Millcreek
WWF; MF
UNT Walnut Creek
CWF; MF

Erie County
Conservation
District
814-825-6403

Kane Borough
McKean County

PAG02004212004

PA American Water Company
800 West Hershey Park Drive
Hershey PA 17033

Hubert Run CWF

McKean County
Conservation
District
814-887-4001

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Barkeyville Borough
Venango County

PAG02006112006

Guru Trucking
2279 Leesburg-Grove City Road
Mercer PA 16137

Wolf Creek CWF

Venango County
Conservation
District
814-676-2832

Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Hamilton Township
Tioga County

PAG2-1159-12-005

PA DEP
Bureau of Abandoned
Mine Reclamation
2 Public Square
5th Floor
Wilkes-Barre, PA 18711-0790

Unnamed Tributary
to Tioga River
(CWF)
Unnamed Tributary
to Johnson Creek
(CWF)

PA DEP
Bureau of
Abandoned Mine
Reclamation
2 Public Square
5th Floor
Wilkes-Barre, PA
18711-0790
(570) 826-2371

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Upper Nazareth
Twp.,
Northampton
County

PAR702210

Highway Materials, Inc.
1750 Walton Road
Blue Bell, PA 19422

Shoeneck Creek,
WWF, MF

PA DEP
Northeast Regional
Office
2 Public Square
Wilkes-Barre, PA
18701-1915
570-826-2511

Amity Township
Berks County

PAR603544

Chuck's Auto Salvage, Inc.
6867 Boyertown Pike
Douglassville, PA 19518

UNT to Manatawny
Creek / CWF

DEP-SCRO
909 Elmerton
Avenue
Harrisburg, PA
17110-8200
717-705-4707

General Permit Type—PAG-4

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Harborcreek
Township
Erie County

PAG041084

Kevin M. Tobin
3301 Dynes Avenue
Erie, PA 16510

Unnamed Tributary
of Sixmile Creek
15-A

DEP
NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

General Permit Type—PAG-10

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water / Use*

*Contact Office &
Phone No.*

Jessup Township
Susquehanna
County

PAG102262

Williams Field Service Co. LLC
Nelson Pipeline
1605 Coraopolis Heights Road
Moon Township, PA 15108

Snell Creek and
Unnamed Tributary
to Roe Creek—4-D

DEP
Northeast Regional
Office
Clean Water
Program
2 Public Square,
Wilkes-Barre, PA
18701-1915
570.826.2511

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Nicholson Township Wyoming County and Lathrop Township Susquehanna County	PAG102263	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108	Unnamed Tributary of Field Brook, Unnamed Tributary of Monroe Creek, and Monroe Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Lathrop Township Susquehanna County	PAG102265	Williams Field Services Company, LLC 1605 Coraopolis Heights Road Moon Township, PA 15108	Unnamed Tributary of Field Brook and East Branch Field Brook—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Bump Pipeline Project Forest Lake Township Jessup Township Susquehanna County	PAG102261	Williams Field Service Co. LLC 13605 Corapolis Heights Road Moon Township, PA 15108-4310	Unnamed Tributary to Forest Lake Creek and Unnamed Tributary to Roe Creek—4-D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Jefferson & Whitely Townships Greene County	PAG106153	M3 Appalachia Gathering, LLC 1099 Main Avenue Suite 210 Durango, CO 81301	UNT of Muddy Creek (outfall 001) and UNT to Rudolph Run (outfall 002)	Southwest Regional Office: Clean Water Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448

Permit No. Minor Amendment—Construction Public Water Supply.

Applicant	Montoursville Borough Water System
[Township or Borough]	Montoursville Borough
County	Lycoming
Responsible Official	Mr. Robert Brobson Montoursville Borough 617 North Loyalsock Avenue Montoursville, PA 17754
Type of Facility	Public Water Supply

Consulting Engineer Eric Raski, P.E.
Larson Design Group
1000 Commerce Park Drive
Williamsport, PA 17701

Permit Issued October 26, 2012

Description of Action Expansion of Well No. 4 treatment building, including a separate gas chlorine room and polyphosphate chemical feed system (relocated from Sylvan Dell Spring site) and a conversion from sodium hypochlorite to gas chlorine at Well No. 3 site.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5260005) West Brownsville Borough, **Washington County** on October 18, 2012 for the operation of facilities approved under Construction Permit # 2611506MA.

Permit No. 6512512MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Borough or Township] Derry Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer

Permit to Construct October 26, 2012
Issued

Permit No. 6512504MA, Minor Amendment. Public Water Supply.

Applicant **Indian Lake Borough**
1301 Causeway Drive
Central City, PA 15926

[Borough or Township] Indian Lake Borough

County **Somerset**

Type of Facility Water system

Consulting Engineer CME Management LP
165 East Union Street
Suite 100
Somerset, PA 15501

Permit to Construct October 26, 2012
Issued

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Operation Permit issued to **Saegertown Borough**, PWSID #6200043, Saegertown Borough, **Crawford County**. Permit Number 2086502-MA3, issued October 24, 2012 for the operation of 4-Log treatment of viruses for Entry Point 103. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Jack R. Foht d/b/a Davis Trailer Court**, PWSID #6250804, Girard Township, **Erie County**. Permit Number 2597504-MA1, issued

October 26, 2012 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.

Plan Location:

Borough or Township	Borough or Township Address	County
Paradise Township	PO Box 40, Paradise PA 17562	Lancaster

Plan Description: The planning module for the Ambassadors for Christ training center, DEP Code No. A3-36943-193-2, APS Id 790238, consisting of the expansion of a training center with additional sewage flows of 610 gpd tributary to an existing on lot sewage disposal system is disapproved. The proposed development is located at 21 Ambassador Drive in Paradise Township. This plan is disapproved because the groundwater sample that most accurately represents the shallow groundwater characteristics at the site has a nitrate-nitrogen concentration of 13.9 mg/l. This is greater than the US EPA maximum contaminant level. The groundwater is already polluted; therefore, the use of an on lot sewage disposal system is not approvable for this site. Pursuant to Section 606 of the Clean Streams Law, when groundwater at the site is already polluted, a proposal for a new or increased discharge to that polluted groundwater cannot be approved. The proposal, as submitted, will potentially create a public health hazard and further contamination of the waters of the Commonwealth.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concen-

tration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401

Rohm & Haas Company, Bristol Township, **Bucks County**. Howard Klei, URS Corporation, Iron Hill Corporate Center, Sabre Building, Suite 300, 4051 Ogletown Road, Newark DE 19713 on behalf of Robert Casselberry, Rohm and Haas Company, 3100 State Road, Croydon, PA 19021 has submitted a Final Report and Remedial Investigation Report concerning remediation of site soil contaminated with other organic. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site Specific Standard.

Parx Casino, Bensalem Township, **Bucks County**. Tom Peterson, P.E., Environmental and Engineering Solutions, Inc., 25 Washington Lane, Wyncote, PA 19095, Keith Crawford, Eagle Industrial Hygiene Associates, Inc., 359 Dresher Road, Horsham PA 19044 on behalf of David Ziegler, Parx Casino, 3001 Street Road, Bensalem, PA 19020 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Maple Glen Shopping Center, Upper Dublin Township, **Montgomery County**. Gloria Hunsberger, Kleinfelder, 180 Sheree Boulevard, Suite 3800, Exton, PA 19341, Brian Tortorete, Kleinfelder, 3 AAA Drive, Hamilton, NJ 08691 on behalf of Jeffery Brown, Genuardi's Family Markets, LP, 5918 Stoneridge Mall Road, Pleasanton, CA 94588 has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Peco Energy Oregon Shop Maintenance Facility, City of Philadelphia, **Philadelphia County**. Bruce Middleman, P.G., Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, PECO Energy Company, 2301 Markets Street, S7-2, Philadelphia, PA 19103 has submitted a Final Report concerning remediation of site groundwater contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Johnston Property, Nether Township, **Delaware County**. Spencer Waybrant, Shaw Group, Inc. 200 Horizon Center Blvd Trenton, NJ 08691, Jeff Campbell, Shaw Group, Inc. 200 Horizon Center Blvd Trenton, NJ 08691, Jason Bryant, Meehan Oil, 8301 Lansdowne Avenue,

Upper Darby, PA 19082 on behalf of Mark Johnston, 419 East County Club Lane, Wallingford, Nether Township, PA 19086 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Schultz Residence, Upper Moreland Township, **Bucks County**. John C. Lydzinski, P.G., Marshall Miller & Associates, Inc. 2 Gunpowder Road, Mechanicsburg, PA 17050, John Asta, Big Oak Landscape and Supplies, Inc. Fuel Oil Division, 2 Viaduct Lane Levittown, PA 19054 on behalf of Vincent Schultz, 2025 Richard Road, Willow Grove, PA 19090 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Fairmount Gardens, City of Philadelphia, **Philadelphia County**. Paul White, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Christian Ruble, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, 1415 Fairmount Limited Partnership, 1415 Fairmount Avenue, Philadelphia, PA 19130 on behalf of Rev. Herbert H. Lusk, II, Greater Exodus Baptist Church, 800 North Broad has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with lead, benzo. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Clifford N. Steinig Property, 4854 Londonderry Road, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. B.L. Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Clifford N. Steinig 1500 Appletree Road, Harrisburg, PA 17110, submitted a Final Report concerning site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health standard.

Safety Kleen Systems New Kingstown Service Center, 10 Eleanor Drive, New Kingstown, PA 17072, Silver Spring Township, **Cumberland County**. Shaw Environmental, Inc., 13 British American Boulevard, Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., 11923 Tramway Drive, Sharonville, OH 45241, submitted a Final Report concerning soils and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons. The report is intended to document remediation to the Site Specific standard.

Standard Steel LLC—Oil Storage House, 500 North Walnut Street, Burnham, PA 17009, Burnham Borough, **Mifflin County**. C. D. Tower and Associates, Inc., PO Box 307, Export, PA 15632, on behalf of Standard Steel, LLC, 500 North Walnut Street, Burnham, PA 17009, submitted a combined Remedial Investigation and Final Report concerning site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet a combination of the Residential and Nonresidential Statewide Health standard.

Saylor's IGA Market and Walter's Excavating, Inc., 37 Carlisle Road and 1 Mill Street, Newville, PA 17241, West Pennsboro Township, **Cumberland County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of

Apple Hill Business Advisors, Inc., 33 North Second Street, Harrisburg, PA 17101, submitted a combined Remedial Investigation Report and Final Report concerning site soils and groundwater contaminated with leaded and unleaded gasoline, diesel fuel, No. 2 fuel oil and used motor oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401

107 Forrest Avenue, Borough of Narberth Montgomery County. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Paul Wilson, Old Firehouse, LLC, 1 Station Circle, Narberth, PA 19072 has submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 22, 2012.

Pine Court Apartments, City of Philadelphia, Philadelphia County. Tom Brady, PT Consultants, Inc., 629 Creek Road, Bellmawr, NJ 08031 on behalf of Michael Greenzang, Pine Court Apartments, LLC, 2015 Locust Street, Philadelphia, PA 19103 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on October 4, 2012.

Lukas Property, Radnor Township Delaware County. Gary Drennen, Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468 on behalf of Joe Lukas, 714 Moonraker, Galloway, NJ 08205 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on October 9, 2012.

Wayne Manor Apartment, Radnor Township Delaware County. Staci Cottone, J&J Spill Services and Supplies Inc., P.O. Box 370, Blue Bell, PA 19422 on behalf of Paul O'Conner, Principal Partners Wayne Manor LLP, 112 North Swarthmore Avenue, Suite 2, Riley Park, PA 19087 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 3, 2012.

Choice One Property Sharon Hill LP, Sharon Hill Borough Delaware County. Richard S. Werner, P.G. Environmental Consulting, Inc., 2002 Renaissance Boulevard, King of Prussia, PA 19406 on behalf of Michael Milone, Choice One Property Sharon Hill, LP, 147 Pennsylvania Avenue, Malvern, PA 19355, has submitted a Final Report concerning the remediation of site soil contaminated with other organic. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 3, 2012.

Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Fiondi 1H/OG Well Site, 15644 State Route 267, Middletown Township, Susquehanna County. Dawn Washo, Resource Environmental, had submitted a Final Report (on behalf of her client, Fiondi Inc., 15644 State Route 267, Montrose, PA 18801), concerning the remediation soil from and undetermined volume of brine released to the subsurface through a weld fitting. The report documented attainment of the Residential Statewide Health Standard for soils and the Residential Background Standard for soils and was approved on October 12, 2012.

Khoury Property, 1003 Broadway, Fountain Hill Borough, Lehigh County. Christopher Jacangelo, J. Rockwood & Associates, Inc., P.O. Box 1006, Easton, PA 18044 had submitted a Final Report (on behalf of his

client, Dr. Rami A. Khoury, DMD, 1003 Broadway, Bethlehem, PA 18015), concerning the remediation of soil found to have been impacted by No. 2 heating oil as a result of a release from a pitted/corrosive steel underground storage tank, which was observed during the tank's removal process. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on 10/23/12.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Standard Steel LLC—Oil Storage House, 500 North Walnut Street, Burnham, PA 17009, Burnham Borough, **Mifflin County**. C. D. Tower and Associates, Inc., PO Box 307, Export, PA 15632, on behalf of Standard Steel, LLC, 500 North Walnut Street, Burnham, PA 17009, submitted a Final Report concerning site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential and Non-Residential Statewide Health standards, and was approved by the Department on October 22, 2012.

Lancaster Family Medicine Associates, 2850 Willow Street Pike, West Lampeter Township, **Lancaster County**, Willow Street, PA 17584, Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of WSK Partners, LLC, 2850 Willow Street Pike, Willow Street, PA 17584, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with No. 2 fuel oil from an unregulated underground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on October 16, 2012.

Helene Master Property, 75 Bernville Road, Robeson, PA 19551, Heidelberg Township and Borough of Robeson, **Berks County**. Liberty Environmental, Inc., 50 North Street, 5th Floor, Reading, PA 19601, on behalf of Helene Master Estate, David Rick, Trustee, 2650 Westview Drive, Wyomissing, PA 19610, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with leaded and unleaded gasoline from unregulated underground storage tanks. The Report was approved by the Department on October 16, 2012.

Keystone Central Storage, 3500 Industrial Road, Harrisburg, PA, Harrisburg City, **Dauphin County**. Property Solutions, Inc., 323 New Albany Road, Moorestown, NJ 08057, on behalf of IndCor Properties, Two North Riverside Plaza, Suite 2350, Chicago, IL 60606, submitted a Remedial Investigation and Final Report concerning remediation of site soils contaminated with arsenic, lead and polycyclic aromatic hydrocarbons and groundwater contaminated with gasoline, kerosene and No 2 Fuel Oil. The combined Remedial Investigation and Final Report did not demonstrate attainment of a combination of Statewide Health and Site-Specific standards, and was disapproved by the Department on October 31, 2012.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Liberty Park, East Liberty Blvd & Collins Street, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Karl Schlachter, 5934 Graybrooke Drive, Pittsburgh, PA 15632 has submitted a Final Report concerning the remediation of site soil contaminated with VOC's, SVOC's

and metals. The Final Report demonstrated attainment of a Site Specific Standard and was approved by the department on October 24, 2012.

Charles Brewer #3 Well Pad, Midd Road & NW intersection of SR 954, Washington Township, **Indiana County**. Hull & Associates, Inc., 300 Business Center Drive, Suite 320, Pittsburgh, PA 15205 on behalf of XTO Energy—Appalachia Division, 395 Airport Road, Indiana, PA 15701 has submitted a Final Report concerning the remediation of site soil contaminated with constituents from an accidental release of on-site produced water. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 24, 2012.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

General Permit ID No. WMGR038SW011. Blairsville Environmental Rubber, LLC (BER), 42 Ash Road, Blairsville, PA 15717. BER Site: 5490 Route 217 North of Blairsville, Blairsville, PA 15717. Permit for processing and beneficial use of waste tires and tire-derived material as a fuel at approved facilities, civil engineering or construction material, and feedstock in the manufacturing of consumer products in Blacklick Township, **Indiana County**. Permit was issued in the Regional Office on October 24, 2012.

Persons interested in reviewing the general permit may contact Diane McDaniel, Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

GP1-36-03181A: Nissin Foods Co., Inc. (2901 Hempland Road, Lancaster, PA 17601) on October 25, 2012 for two boilers and six existing boilers under GP1, at the facility location in East Hempfield Township, **Lancaster County**. All eight boilers will burn either natural gas alone, or natural gas and #2 oil.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

GP9-14-00009A: Mount Nittany Medical Center (1800 East Park Avenue, State College, PA 16803) on October 22, 2012, to authorize the construction and operation of one 1,141 horsepower Caterpillar Model #DM9071 #2 fuel oil/diesel fuel fired emergency generators pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) located in College Township, **Centre County**.

GP1-55-01: Selinsgrove Area School District (401 North 18th Street Selinsgrove, PA 17870) on October 11, 2012, for the two 10,461 MMBtu/hr Burnham model LN5L-250-50-GO-IC boilers equipped with Industrial Combustion model LNDLG-145P low-NO_x burner pursuant to General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1, Small Gas and No. 2 Oil Fired Combustion Units at the Selinsgrove Area School District located in Selinsgrove Borough, **Snyder County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

GP9-63-00974: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on October 25, 2012, to authorize the installation and operation two (2) 197 bhp John Deere diesel-fired engines controlled by catalysts at the Finley Compressor Station located in West Finley Township, **Washington County**.

GP5-63-00974: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on October 25, 2012, to authorize the construction and operation of a new compressor station known as the Finley Compressor Station located in West Finley Township, **Washington County**. Sources include two (2) 1,480 bhp Waukesha L7042GSI engines controlled by catalysts, one (1) 40 MMscfd dehydrator controlled by a flare, and five (5) produced water/condensate storage tanks controlled by a VRU.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920

15-0061B: Phoenixville Hospital, Inc. (140 Nutt Road, Phoenixville, PA 19460) on October 22, 2012, for installation of a catalytic converter to control formaldehyde emissions from the existing 1250-kW Emergency Electric Generator/Internal Combustion Engine in Phoenixville Borough, **Chester County**. The generator is subject to the requirements of 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Installation of the catalytic converter will not cause an increase in emissions. Facility-wide potential emissions are below major facility thresholds for the Philadelphia Metropolitan Area; the facility is classified as a Synthetic Minor Facility. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0005AJ: Merck, Sharp & Dohme, Corp. (770 Sunmeyer Pike, West Point, PA 19486-0004) on October 22, 2012, for modification of an existing permitted combustion turbine (TG2), Source 039, in Upper Gwynedd Township, **Montgomery County**. The plan approval is for a Title V facility. The modification will remove the ability to fire the turbine on fuel oil and limit the operating time to 7,700 hours per 12 consecutive month period. There will be no increase in emissions. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790

Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

48-309-136: Hercules Cement CO LP—DBA Buzzi Unicem USA (501 Hercules Drive, Stockertown, PA 18083) on October 31, 2012, for installation of a new baghouse at the facility in Stockertown Borough, **Northampton County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC (71 Old Mill Bottom Road North, Suite 101, Annapolis, MD 21409-5446) on October 23, 2012, for a modification to existing Plan Approval No. 01-05037B issued on February 10, 2012 to construct an Energy & Nutrient Recovery Facility located in Tyrone Township, **Adams County**. The modification generally addresses the following changes to Plan Approval No. 01-05037B: the addition of propane as a fuel in the Primary Gasification Chamber and Secondary Combustion Chamber startup burners, the increase of the startup burner capacity, the installation of a baghouse bypass, and the clarification of CISWI applicability and greenhouse gas requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

11-00356C: Peoples Natural Gas Company, LLC (1201 Pitt Street, Pittsburgh, PA 15221-2029) on October 26, 2012, to install and begin initial temporary operation of two Waukesha L7042GSI VHP rich burn natural gas-fired compressor engines rated at 1,480 bhp each and controlled by three-way catalysts at the Laurel Ridge / Rager Mountain Compressor Station located in Jackson Township, **Cambria County**. One currently authorized lean burn natural gas-fired compressor engine rated at 1,340 bhp and one thermal oxidizer rated at 4.0 MMBtu/hr controlling emissions from dehydrators #1 and #2 are currently authorized for temporary operation under PA-11-00356B and have been incorporated into this Plan Approval.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

60-00014A: Evangelical Community Hospital (One Hospital Drive, Lewisburg, PA 17837) on October 26, 2012, to extend the authorization to operate a biomass-fired boiler at their facility in Kelly Township, **Union County** on a temporary basis to April 24, 2013. The plan approval has been extended.

47-00005: Geisinger Medical Center (100 North Academy Avenue, Danville, PA 17822) on October 15, 2012 to extend the authorization to temporarily operate an additional 180 days from November 2, 2012 to May 1, 2013 in order to continue the evaluation of air contaminant aspects of the source facility in Mahoning Township, **Montour County**. The plan approval has been extended.

53-00001E: Tennessee Gas Pipeline Co., LLC (1001 Louisiana Street, Houston, TX 77002) on October 15, 2012, to extend the authorization to temporarily operate an additional 180 days from October 26, 2012 to April 24, 2013 in order to continue the evaluation of air contaminant aspects of the source Station 313 facility in Hebron Township, **Potter County**. The plan approval has been extended.

47-309-001: United States Gypsum Co. (60 PPL Road, Danville, PA 17821) on October 15, 2012 to extend the authorization to temporarily operate an additional 180 days from November 18, 2012 to May 17, 2013 in order to continue the evaluation of air contaminant aspects of the source in Derry Township, **Montour County**. The plan approval has been extended.

47-309-001A: United States Gypsum Co. (60 PPL Road, Danville, PA 17821) on October 15, 2012 to extend the authorization to temporarily operate an additional 180 days from September 25, 2012 to March 24, 2013 in order to continue the evaluation of air contaminant aspects of the source in Derry Township, **Montour County**. The plan approval has been extended.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226

26-00588: Laurel Mountain Midstream, LLC (1550 Coraopolis Heights Road, Suite 140, Moon Township, PA 15108) on October 26, 2012, to extend the period of temporary operation of the three new ultra lean burn natural gas-fired compressor engines rated at 1,380 bhp each and controlled by oxidation catalysts, and the natural gas-fired turbine rated at 15,525 bhp covered under plan approval PA-26-00588 until May 16, 2013, at Shamrock Compressor Station in German Township, **Fayette County**.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or Daniel Husted, New Source Review Chief—Telephone: 717-705-4863

06-05065: Glen Gery Corp. (423 S. Pottsville Pike, Shoemakersville, PA 19555-9742) on October 22, 2012, for the brick manufacturing plant in Perry Township, **Berks County**. The Title V permit was renewed.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131

24-00083: Mersen USA St Marys (215 Stackpole Street, St Marys, PA 15857-1401), on October 17, 2012, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions from plan approval 24-083S into the permit for the facility located in St Marys City, **Elk County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

42-00221: Werzalit Of America, Inc. (40 Holley Avenue, Bradford, PA 16701-1809) on October 24, 2012, for a renewal of the Natural Minor Operating Permit to operate furniture and fixtures manufacturing plant in City of Bradford, **McKean County**. The emitting sources included, 1) Wood and wood product fired boiler, 2) Cleaver brooks Boiler, 3) Wood Chipping / Drying process, 4) Dry chip sieve, 5) Blending/ Pressing (Raw products/ Casual furniture), 6) Finishing (casual furniture, 7) Knife mill, 8) Blending/pressing (Architectural Cladding), 9) Finishing (Architectural Cladding), 10) Automatic spray system, 11) Boiler feed storage bin, 12) Boiler feed process and 13) Degreaser unit. The emission of pollutants from the facility is less than the Title V threshold-limits. Thus, the facility is natural minor. The potential emissions statement from the facility: PM: 10.6 TPY (Tons per year), VOC: 10.4 TPY, Formaldehyde: 3.3 TPY and Menthol: 5.0 TPY

43-00324: John Flynn Funeral Home and Crematory, Inc. (2630 E State Street, Hermitage, PA 16148-2718) on October 24, 2012, for renewal of the Natural Minor Permit to operate a funeral service and crematories. The facility's major emission sources include, Cremator (primary chamber) with afterburner (secondary chamber). The facility is located in City of Hermitage, **Mercer County**. The emission of the pollutants from the facility is less than Title V threshold limits. Thus, the facility is natural minor. The potential emissions statement from the facility: PM: 0.28 TPY, VOC- 0.02 TPY, CO: 0.30, NO_x 1.10.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00021: MRI Flexible Packaging Co. (122 Penns Trail, Newtown, PA 18940) on October 22, 2012, for the removal of two existing flexographic printing presses and associated catalytic oxidizers control devices and the operation of a new regenerative thermal oxidizer to control emissions from three existing flexographic printing presses at its facility in Newtown Twp., in **Bucks County**. The facility is a synthetic minor of volatile

organic compound (VOC) emissions. The issued State Only Operating Permit was administratively amended to incorporate the applicable provisions of Plan Approval No. 09-0021C.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648

49-00041: Eastern Industries, Inc.—a division of New Enterprise Stone and Lime Co., Inc. (4401 Camp Meeting Road, Center Valley, PA 18034) issued a revised State Only (Synthetic Minor) operating permit on October 23, 2012, for a change in ownership of the Shamokin Plant facility from Eastern Industries, Inc. to Eastern Industries, Inc. a division of New Enterprise Stone and Lime Co., Inc. This facility is located in Coal Township, **Northumberland County**. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

08-00025: Richards Funeral Home (502 North Keystone Ave., South Waverly, PA 18840) issued a revised State Only operating permit on October 24, 2012, for a change in ownership of the Northern Bradford Crematory facility from Ella and Jack Belles to Richards Funeral Home, Inc. This facility is located in the Borough of South Waverly, **Bradford County**. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Actions

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County** and related NPDES permit to update supply yard erosion and sedimentation controls, add a supply yard sedimentation pond, and add NPDES discharge point 034. Receiving stream: Enlow Fork, classified for the following use: TSF. The application was considered administratively complete on September 16, 2010. Application received: July 28, 2010. Permit issued: October 25, 2012.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900

56070111 and NPDES No. PA0262510. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, revision of an existing bituminous surface mine to add augering to a portion of the existing mining area approximately 2.6 acres in size in Brothersvalley Township, **Somerset County**, affecting 115 acres. Receiving stream(s): unnamed tributaries to Swamp Creek and unnamed tributaries to Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 16, 2012. Permit issued: October 24, 2012.

11813040 and NPDES No. PA125423. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, revision of an existing bituminous surface and auger mine to change land use from forestland to pastureland or land occasionally cut for hay in Adams Township, **Cambria County**, affecting 50.0 acres. Receiving stream(s): unnamed tributaries to and South Fork Little Conemaugh River; unnamed tributary to and Sulfur Creek classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: June 25, 2012. Permit issued: October 24, 2012.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

63813210 and NPDES Permit No. PA0615129. PA Coal Reclamation, Inc. (P. O. Box 136, Cuddy, PA 15031). Revision permit issued for a stream variance to an existing bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 53.3 acres. Receiving stream: unnamed tributary to Ten Mile creek. Application received: April 12, 2012. Permit issued: October 19, 2012.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

61090103. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Revision to an existing bituminous surface mine to change the post-mining land use from forestland to unmanaged natural habitat in Irwin Township, **Venango County** affecting 58.5 acres. Receiving streams: Two unnamed tributaries to North Branch Slippery Rock Creek. Application received: August 23, 2012. Permit Issued: October 23, 2012.

33120103 and NPDES Permit No. PA0259276. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Commencement, operation and restoration of a bituminous surface mine in Beaver Township, **Jefferson County** 68.0 acres. Receiving streams: Unnamed tributary to Little Sandy Creek. Application received: April 23, 2012. Permit Issued: October 24, 2012.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

54060104R. Post Mining, (698 Fairview Road, Tamaqua, PA 18252), renewal for reclamation activities only of an existing anthracite surface mine operation in Reilly Township, **Schuylkill County** affecting 165.0 acres, receiving stream: none. Application received: November 28, 2011. Renewal issued: October 18, 2012.

40663023R5 and NPDES Permit No. PA0225207. Pagnotti Enterprises, Inc., (46 Public Square, Suite

600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation operation Hazle Township and City of Hazleton affecting 640.0 acres, receiving stream: Hazle Creek Watershed (No Discharge). Application received: December 9, 2010. Renewal issued: October 19, 2012.

Noncoal Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

64112502 and NPDES Permit No. PA0225061. Johnston & Rhodes Bluestone Co., (P. O. Box 130, East Branch, NY 13756), commencement, operation and restoration of a quarry operation in Manchester Township, Wayne Township affecting 10.0 acres, receiving stream: Weston Brook. Application received: August 26, 2011. Permit issued: October 23, 2012.

7876SM1T and NPDES Permit No. PA0595721. Eastern Industries, Inc., (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), transfer of an existing quarry operation in Whitehall Township, **Lehigh County** affecting 89.19 acres, receiving stream: Coplay Creek. Application received: May 3, 2012. Transfer issued: October 24, 2012.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500

02124004. A Liberoni (459 Davidson Road, Plum Borough, PA 15239). Blasting activity permit for the construction of the Plum Borough Municipality Phase 2, located in Plum Borough, **Allegheny County**. The duration of blasting is expected to last two months. Blasting permit issued: October 25, 2012.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

43124001. Tidelands Geophysical Company, Inc. (101 East Park Boulevard, Suite 955, Plano, TX 75074). Blasting activity permit for seismic exploration in South Pymatuning Township, **Mercer County**. This blasting activity permit will expire on April 15, 2013. Permit issued: October 26, 2012.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200

41124115. Midstream Explosives LLC (289 Southside Drive, Newville, PA 17241-8951). Blasting for pipeline located in Penn Township, **Lycoming County**. Permit issued: October 1, 2012. Permit expires: September 26, 2013.

08124150. Maurer & Scott Sales, Inc. (122 Thomas Street, Coopersburg, PA 18036-2100). Blasting for natural gas well pad construction located in Wilmot Township, **Bradford County**. Permit issued: October 17, 2012. Permit expires: June 30, 2013.

08124151. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Blasting for pipeline located in Wyalusing Township, **Bradford County**. Permit issued: October 19, 2012. Permit expires: October 31, 2013.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

06124115. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Glenn Hurst manure pit in Marion Township, **Berks County** with an expiration date of December 31, 2012. Permit issued: October 24, 2012.

22124107. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Phoenix Contact in Lower Swatara Township, **Dauphin County** with an expiration date of October 18, 2013. Permit issued: October 24, 2012.

36124163. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Jacob Lapp manure pit in Salisbury Township, **Lancaster County** with an expiration date of December 31, 2012. Permit issued: October 24, 2012.

38124124. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Michael Martin home in Jackson Township, **Lebanon County** with an expiration date of December 31, 2012. Permit issued: October 24, 2012.

38124125. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Leonard Horning Barn in Jackson Township, **Lebanon County** with an expiration date of December 31, 2012. Permit issued: October 24, 2012.

58124192. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Wooten East Well Pad in Liberty Township, **Susquehanna County** with an expiration date of October 16, 2013. Permit issued: October 24, 2012.

36124164. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Landis Valley Sewer Extension in Manheim Township, **Lancaster County** with an expiration date of October 24, 2013. Permit issued: October 25, 2012.

46124114. Maine Drilling & Blasting, Inc., (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Highfield at Providence in Upper Providence Township, **Montgomery County** with an expiration date of October 24, 2013. Permit issued: October 25, 2012.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under sec-

tion 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501–508 and 701–704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E03-458. PennDOT District 10-0; 2550 Oakland Ave., PO Box 429, Indiana, PA 15701; Kittanning and Manor Townships, **Armstrong County**; ACOE Pittsburgh District.

Applicant has been given consent to remove the existing SR 422, 18 inch to 36 inch diameter culvert having a total length of 185 feet; construct and maintain a replacement 54 inch diameter 230 foot long RCP culvert depressed 6 inches in an unnamed tributary to Rupp Run (WWF) with a drainage area of 0.12 square mile; fill and maintain a total of 0.022 acre of PEM wetland; temporarily impact 0.01 acre of PEM wetland; construct and maintain road associated stormwater outfalls; and construct and maintain 165 linear feet of restoration to an unnamed tributary to Rupp Run (WWF).

This project is associated with Theater Road, SR 422 improvement work with these encroachments located approximately 3.5 miles east of Ford City in Kittanning and Manor Townships, Armstrong County (Mosgrove PA Quadrangle, North 7.3 inches and West 11.4 inches; Latitude 40° 47' 26" and Longitude -79° 27' 26").

E63-642. Investors Mark Acquisitions, LLC; 124 Windermere Ct., McMurray, PA 15317; Peters Township, **Washington County**; ACOE Pittsburgh District.

Applicant has been given consent to construct and maintain a box culvert having a span of 10.0 ft. with an underclearance of 6.0 feet approximately 96.0 feet long in

an unnamed tributary to Brush Run (WWF) located under Villa Drive, to realign and maintain 50.0 linear feet of stream channel in an unnamed tributary to Brush Run (WWF), to place and maintain fill in 0.17 acre of wetlands, to construct and maintain a 36.0 inch diameter culvert approximately 84.0 feet long in unnamed tributary to Brush Run (WWF), to place and maintain fill temporarily in 0.018 acre of wetlands, to construct and maintain a 36.0 inch diameter culvert approximately 80.0 feet long in of an unnamed tributary to Brush Run (WWF) located under Villa Drive near the cul de sac of Villa Drive, and to construct and maintain an 8.0 inch diameter sewer line under the bed and across the channels of said streams and associated wetlands for the purpose of providing access to the proposed Tuscany Plan of Lots. The project is located on the north side of Just About Road, approximately 1,400.0 feet north from the intersection of Just About Road, Farm Road and Sienna Trail (Bridgeville, PA Quadrangle; N: 10.5 inches; W: 2.75 inches; Latitude: 40° 18' 24"; Longitude: 80° 01' 11") in Peters Township, Washington County. To compensate for the loss of 335.0 linear feet of stream channel, the applicant will construct and maintain stream bank plantings and install two rock cross vanes within a 680.0 linear foot reach of the unnamed tributary to Brush Run. The 50.0 linear foot segment of tributary to be realigned will be enhanced with riparian plantings. To compensate for the wetland impacts a 0.17 acre wetland mitigation area adjacent to Wetland 5 will be constructed.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335.

E10-460A, Cranberry Township, 2525 Rochester Rd, Cranberry Township PA 16066. Parallel Interceptor Project Amendment, in Cranberry Twp, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 41', 53"; W: 80°, 07', 13").

To amend Permit No. E10-460, which authorized Cranberry Township to construct various stream and wetland impacts associated with construction of approximately 25,000-foot long and 1.75-foot to 4.5-foot diameter interceptor sanitary sewer line parallel to an existing interceptor sewer from U.S. Interstate 76 (PA Turnpike) near the Marshall Township, Allegheny County/Cranberry Township, Butler County border to the existing wastewater treatment plant located along Powell Road near Glen Eden Road in Cranberry Township, Butler County. The permit is amended to expand the construction corridor from 14 feet to 40 feet for 3 wetland crossings and from 20 feet to 40 feet for all stream crossings. This amendment results in temporary impacts to a total of 1160 linear feet of stream and 1.30 acres of wetland for utility line and equipment crossings and up to 1350 linear feet of stream bank stabilization along Brush Creek in Cranberry Township, Butler County.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E4129-041: Range Resources-Appalachia, LLC, 100 Throckmorton Street, Suite 1200, Fort Worth, TX 76102, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain one 22-foot wide, 7-foot high open bottom arch culvert, six 15 inch over-flow culverts, and two 12 inch temporary above ground waterlines impacting 90 linear feet of Roaring Run (EV) (White Pine PA Quadrangle 41°22'54"N 77°10'34"W). The project will result in 90 linear feet of stream impacts all for the

purpose of installing an access road and temporary waterline to multiple Marcellus well sites.

E0829-048: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 51 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 1,781 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41°46'16", Longitude: -76°13'48");

2. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 51 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 1,059 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41°46'15", Longitude: -76°14'09");

3. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 38 linear feet of Camps Creek (WWF, MF) and impacting 17,472 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41°46'18", Longitude: -76°14'31");

4. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 51 linear feet of an unnamed tributary to Camps Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41°46'26", Longitude: -76°14'40");

5. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 92 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 180 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41°46'16", Longitude: -76°13'48");

6. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 1,406 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41° 46'43", Longitude: -76° 15'03");

7. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 52 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 2,782 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41°46'45", Longitude: -76°15'07");

8. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 802 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41° 46'49", Longitude: -76° 15'15");

9. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 51 linear feet of an unnamed tributary to Camps Creek (WWF, MF) (Rome, PA Quadrangle, Latitude: 41°46'52", Longitude: -76°15'32");

10. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 50 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 5,483 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41°46'59", Longitude: -76°15'34");

11. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting

290 linear feet of an unnamed tributary to Camps Creek (WWF, MF) (Rome, PA Quadrangle, Latitude: 41°47'01", Longitude: -76°15'33");

12. Two 12 inch diameter natural gas lines, a 16 inch diameter water line and a timber mat bridge impacting 20 linear feet of an unnamed tributary to Camps Creek (WWF, MF) and impacting 6,909 square feet of a Palustrine Emergent Wetland (Rome, PA Quadrangle, Latitude: 41°47'08", Longitude: -76°15'34");

The project will result in 746 linear feet and 3,582 square feet of temporary stream impacts, and 36,815 square feet (0.85 acre) of temporary PEM, PSS and PFO wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

E4029-002: PVR NEPA Gas Gathering, LLC, 100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Dallas Township, **Luzerne County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 4 inch diameter buried electrical conduit crossing impacting 19,560 square feet (0.45 acre) of a PEM, PSS, and PFO wetland system (Kingston, PA Quadrangle; Latitude: 41° 20' 51", Longitude: -75° 56' 50").

The electrical conduit is to be located within the previously permitted Wyoming Pipeline right of way to provide electric service to the Transco Hildebrandt Tap (meter station) located in Dallas Township, Luzerne County. The project will temporarily impact 0.45 acre of wetlands. Wetland mitigation is accounted for at the Tunkhannock Viaduct Wetland Mitigation site (Factoryville, PA Quadrangle; Latitude: 41° 37' 18", Longitude: -75° 46' 15") in Nicholson Township, Wyoming County. The Wyoming Pipeline Project was posted in the *PA Bulletin* as a Final Action on March 17, 2012.

E5729-036: Carrizo Marcellus, LLC, 251 Drainlick Road, P. O. Box 231, Drifting, PA 16834, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain a permanent access road crossing using an 18 inch diameter smooth lined corrugated plastic pipe impacting 70 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'44"N, 76°48'00"W)

The project will result in 58 linear feet of permanent stream impacts and 12 linear feet of temporary stream impacts for the purpose of installing an access road for Marcellus well development in Fox Township, Sullivan County.

E5829-034: PVR NEPA Gas Gathering, LLC, 100 Penn Tower Square, Suites 201 & 202, Williamsport, PA 17701, Lenox Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate and maintain the Polovitch East to Jerauld 12-inch Extension Natural Gas Pipeline, which consists of one 12-inch, natural gas pipeline with associated temporary construction accesses, with impacts as follows:

1. 66.0 linear feet of a UNT to Willow Brook (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'34.29", Longitude: W75°45'14.28");

2. 61.0 linear feet of a UNT to Willow Brook (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'39.65", Longitude: W75°45'15.77");

3. 83.0 linear feet of Willow Brook (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'43.17", Longitude: W75°45'11.12");

4. 10,992 square feet of Exceptional Value (EV) Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'43.57", Longitude: W75°45'10.42");

5. 61.0 linear feet of a UNT to Utley Brook (CWF, MF) via open cut trenching and temporary timber matting (Lenoxville, PA Quadrangle, Latitude: N41°38'55.76", Longitude: W75°44'38.87"); and

6. 3.0 linear feet of a UNT to Utley Brook (CWF, MF) via temporary timber matting (Lenoxville, PA Quadrangle, Latitude: N41°38'56.64", Longitude: W75°44'42.86").

The project will result in 274.0 linear feet of permanent stream impacts, and 10,992 square feet (0.25 acre) of impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, all for the purpose of installing one 12-inch, natural gas pipeline with associated temporary construction accesses for the development of the Marcellus Shale.

E5829-032: PVR NEPA Gas Gathering, LLC, 100 Penn Tower Suite 201/202, Williamsport, PA; Lathrop and Lenox Townships, and Hop Bottom Borough, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a temporary timber mat crossing impacting 111 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 37", Long. -75° 46' 55");

2. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 8,380 square feet (0.19 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 38");

3. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 58 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 38");

4. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 65 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 48", Long. -75° 46' 36");

5. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 591 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 42' 02", Long. -75° 46' 11");

6. an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 97 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 42' 02", Long. -75° 46' 13");

7. an 8 inch diameter natural gas pipeline crossing impacting 56 lineal feet of Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 59", Long. -75° 46' 02");

8. an 8 inch diameter natural gas pipeline crossing impacting 31 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 59", Long. -75° 46' 00");

9. an 8 inch diameter natural gas pipeline crossing impacting 31 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 58", Long. -75° 45' 57");

10. an 8 inch diameter natural gas pipeline crossing impacting 57 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 57", Long. -75° 45' 56");

11. a timber mat crossing impacting 534 square feet (0.01 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 42' 00", Long. -75° 45' 41");

12. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 741 square feet (0.02 acre) of a PFO wetland (Hop Bottom, PA Quadrangle; Lat. 41° 41' 46", Long. -75° 45' 41");

13. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 75 lineal feet of unnamed tributary to Martins Creek (Hop Bottom, PA Quadrangle; Lat. 41° 41' 38", Long. -75° 45' 39");

14. a timber mat crossing impacting 2,420 square feet (0.06 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; Lat. 41° 41' 38", Long. -75° 45' 18");

15. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 2,420 square feet (0.06 acre) of a PEM wetland (Auburn Center, PA Quadrangle; Lat. 41° 41' 16", Long. -75° 45' 00");

16. an 8 inch diameter natural gas pipeline and timber mat crossing impacting 37 lineal feet of unnamed tributary to Willow Brook (Hop Bottom, PA Quadrangle; Lat. 41° 41' 16", Long. -75° 44' 59");

The Taylor 8" Lateral Unit 1H Natural Gas gathering line project will convey natural gas from the Taylor well pad and convey it to the existing Korban to Phelps Natural Gas pipeline located in Lathrop Township, Susquehanna County and to existing the Transco Gas Transmission Line in Dallas Township, Luzerne County. The project will result in 1,033 linear feet (6,525 square feet) of temporary stream impacts and a total of 0.50 acre (21,883 square feet) of wetland impacts all for the purpose of conveyance of natural gas from the Marcellus Shale to market.

E0829-046: Chesapeake Appalachia, LLC, 101 North Main Street, Athens, PA 18810, Tuscarora Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 120 inch by 84 inch by 18 feet long box culvert with wingwalls and 200 linear feet of stream bank restoration with R-5 riprap impacting 218 linear feet of Little Tuscarora Creek (CWF) (Laceyville, PA Quadrangle Latitude: 41°41'35", Longitude: -76°11'30"),

The project will result in 218 linear feet or 2,980 square feet of temporary stream impacts, all for the purpose of installing a permanent access road to a natural gas well pad.

ENVIRONMENTAL ASSESSMENTS

Northcentral Region: Program Manager, Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701

EA 08-006. Schrader Creek Watershed Association, RR2, Box 292, Towanda, PA 18848. Acid mine drainage abatement project on an Unnamed Tributary to Long Valley Run, Franklin Township, **Bradford County**, ACOE Baltimore District

Schrader Creek Watershed Association proposes to construct, operate and maintain a Long Valley Run Site #4 Acid Mine Drainage passive treatment system and appurtenant structures to treat acid mine drainage discharges

to an Unnamed Tributary (UNT) to Long Valley Run. The designated use of the UNT to Long Valley Run is High Quality-Cold Water Fishes.

Construction of the treatment system will result in 0.14 acre of palustrine emergent (PEM)-palustrine scrub-shrub (PSS)-palustrine forested (PFO) wetland impacts and 40 linear feet of stream impacts to the UNT to Long Valley Run. This approval under Chapter 105, Section 105.12(a)(16) also includes 401 Water Quality Certification. (Powell Quadrangle; Latitude N 41° 39' 54.2"; Longitude W 76° 35' 25.8").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
4512801	Transcontinental Gas Pipe Line, LLC 2800 Post Oak Blvd. Suite 900 Houston, TX 77056	Monroe	Ross Twp.	Unnamed Tributary to Aquashicola Creek, HQ-CWF, MF; Aquashicola Creek, HQ-CWF, MF; Buckwha Creek, CWF, MF; Unnamed Tributary to Buckwha Creek, CWF, MF; Unnamed Tributary to Buckwha Creek, CWF, MF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-1 # ESX12-015-0199
Applicant Name Appalachia Midstream Services, LLC
Contact Person Greg Floerke
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Bradford County
Township(s) Albany Township
Receiving Stream(s) and Classification(s) Trib. 30302 to French Creek (CWF), Trib 30306 to South Branch Towanda Creek (CWF), Sugar-Towanda Creeks Watershed;
Secondary: French Creek (CWF), South Branch Towanda Creek (CWF)

ESCGP-1 # ESX12-015-0200
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford County

Township(s) Overton Township
Receiving Stream(s) and Classification(s) Lick Creek (EV);
Secondary: Little Loyalsock Creek (EV)

ESCGP-1 # ESX12-113-0036
Applicant Name Appalachia Midstream Services, LLC
Contact Person Greg Floerke
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Sullivan County
Township(s) Elkland Township
Receiving Stream(s) and Classification(s) Tribs. 20113, 20121, 20123 of Elk Creek (EV);
Secondary: Elk Creek (EV)

ESCGP-1 # ESX12-113-0034
Applicant Name Appalachia Midstream Services, LLC
Contact Person Greg Floerke
Address 100 Ist Center
City, State, Zip Horseheads, NY 14845
County Sullivan County
Township(s) Cherry Township

Receiving Stream(s) and Classification(s) Mill Creek (EV), Tribs 20230, 20232, 20233, 20234, 20235 to Black Creek (EV), Loyalsock Creek Watershed

ESCGP-1 # ESX12-113-0035

Applicant Name Appalachia Midstream Services, LLC

Contact Person Greg Floerke

Address 100 Ist Center

City, State, Zip Horseheads, NY 14845

County Sullivan County

Township(s) Cherry Township

Receiving Stream(s) and Classification(s) Little Loyalsock Creek (EV), Trib 20314 to Little Loyalsock Creek (EV), Trib 20319 to Little Loyalsock Creek (EV), Loyalsock Creek Watershed;

Secondary: Loyalsock Creek (EV)

ESCGP-1 # ESX12-015-0202

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Windham Township

Receiving Stream(s) and Classification(s) Wappasening Creek (CWF/MF), Russell Run (CWF/MF);

Secondary: Wappasening Creek

ESCGP-1 # ESX12-115-0153

Applicant Name Cabot Oil & Gas Corporation

Contact Person Kenneth Marcum

Address 5 Penn Center West, Suite 401

City, State, Zip Pittsburgh, PA 15276

County Susquehanna County

Township(s) Brooklyn Township

Receiving Stream(s) and Classification(s) UNT to Martins Creek (CWF)

ESCGP-1 # ESX12-015-0122

Applicant Name Chief Oil & Gas LLC

Contact Person Christopher Vassallo

Address 6051 Wallace Road Ext., Ste 210

City, State, Zip Wexford, PA 15090

County Bradford County

Township(s) Ridgebury Township

Receiving Stream(s) and Classification(s) UNT to Stone Lick Creek (WWF/MF), Stone Lick Creek (WWF/MF);

Secondary: Chemung River (WWF/MF)

ESCGP-1 # ESX12-015-0072 (01)

Applicant Name Talisman Energy USA, Inc.

Contact Person Tracy Gregory

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845

County Bradford County

Township(s) Warren Township

Receiving Stream(s) and Classification(s) Wappasening Creek (CWF/MF), Corbin Creek (CWF/MF), Chaffee Run (CWF/MF)

ESCGP-1 # ESX12-115-0181

Applicant Name Williams Field Services Company

Contact Person Sandra Lojek

Address 1605 Coraopolis Heights Road

City, State, Zip Moon Township, PA 15108

County Susquehanna County

Township(s) Harford Township

Receiving Stream(s) and Classification(s) Susquehanna Watershed: Tribs. 29143, 29145, 29146, 29147, 29148, Leslie Creek (All CWF/MF)

ESCGP-1 # ESX12-081-0138

Applicant Name Seneca Resources

Contact Person Michael Clinger

Address 51 Zents Boulevard

City, State, Zip Brookville, PA 15825

County Lycoming County

Township(s) Lewis Township

Receiving Stream(s) and Classification(s) Hagerman Run; Brown Hollow; Sugarcamp Hollow (HQ);

Secondary: Lycoming Creek (EV/MF)

ESCGP-1 # ESX12-115-0189

Applicant Name Southwestern Energy Production Company

Contact Person Dave Sweeley

Address 917 State Route 92 North

City, State, Zip Tunkhannock, PA 18657

County Susquehanna County

Township(s) Thompson Township

Receiving Stream(s) and Classification(s) South Branch Canawacta Creek (CWF);

Secondary: Canawacta Creek (CWF)

ESCGP-1 # ESX12-117-0085

Applicant Name Anadarko E&P Company, LP

Contact Person Rane Wilson

Address 33 W. Third Street, Suite 200

City, State, Zip Williamsport, PA 17701

County Tioga County

Township(s) Liberty Township

Receiving Stream(s) and Classification(s) UNT Zimmerman Creek (HQ-CWF/MF);

Secondary: Zimmerman Creek (HQ-CWF/MF)

ESCGP-1 # ESX12-081-0007 (01)

Applicant Name Pennsylvania General Energy Company, LLC

Contact Person Amber Oyler

Address 120 Market Street

City, State, Zip Warren, PA 16365

County Lycoming County

Township(s) Cummings Township

Receiving Stream(s) and Classification(s) UNT to Ramsey Run (HQ/CWF), Ramsey Run (HQ/CWF);

Secondary: Pine Creek (HQ/TSF)

ESCGP-1 # ESX12-131-0029

Applicant Name Appalachia Midstream Services, LLC

Contact Person Greg Floerke

Address 100 Ist Center

City, State, Zip Horseheads, NY 14845

County Wyoming County

Township(s) Windham Township

Receiving Stream(s) and Classification(s) Little Mehoopany Creek (CWF/MF)

ESCGP-1 # ESX12-115-0185

Applicant Name Chief Oil & Gas LLC

Contact Person Jeffrey Deegan

Address 6051 Wallace Road Ext., Ste 210

City, State, Zip Wexford, PA 15090

County Susquehanna County

Township(s) Auburn Township

Receiving Stream(s) and Classification(s) UNT to White Creek (CWF)

ESCGP-1 # ESX12-081-0139

Applicant Name EXCO Resources (PA), LLC

Contact Person Brian Rushe

Address 3000 Ericsson Drive

City, State, Zip Warrendale, PA 15086

County Lycoming County

Township(s) Penn and Franklin Townships

Receiving Stream(s) and Classification(s) Big Run, UNT to Little Muncy Creek & Muncy Creek;

Secondary: Little Muncy Creek and Muncy Creek (Other)

ESCGP-1 # ESX12-081-0142

Applicant Name Atlas Resources, LLC
 Contact Person Carla Suszkowski
 Address 1000 Commerce Drive, 4th Floor
 City, State, Zip Pittsburgh, PA 15275
 County Lycoming County
 Township(s) Gamble Township
 Receiving Stream(s) and Classification(s) Roaring Run,
 UNTs to Roaring Run (All EV)

ESCGP-1 # ESX12-081-0105 (01)

Applicant Name PVR Marcellus Gas Gathering, LLC
 Contact Person Kevin Roberts
 Address 25 W. Third Street, Penn Tower Suite 201-202
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Lewis Township
 Receiving Stream(s) and Classification(s) Daugherty Run
 and Hoagland Run (HQ/CWF/MF)

ESCGP-1 # ESX12-015-0195

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford County
 Township(s) Terry Township
 Receiving Stream(s) and Classification(s) UNT to Foster
 Branch Sugar Run and UNT to Sugar Run, both are
 Tribes to Sugar Run Creek (CWF/MF);
 Secondary: Sugar Run Creek (CWF/MF)

ESCGP-1 # ESX12-015-0196

Applicant Name Eric Haskins
 Contact Person Chesapeake Appalachia, LLC
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford County
 Township(s) Standing Stone Township
 Receiving Stream(s) and Classification(s) UNT to Vought
 Creek (WWF/MMF);
 Secondary: Vought Creek

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

9/12/12

ESCGP-1 No: ESX12-125-0047 MAJOR REVISION
 Applicant Name: LAUREL MOUNTAIN MIDSTREAM
 OPERATING LLC
 Contact Person MR FRANK CANNETO
 Address: 1605 CORAOPOLIS HEIGHTS ROAD
 City: MOON TOWNSHIP State: PA Zip Code: 15108
 County: WASHINGTON Township: CENTERVILLE &
 DEEMSTON BOROUGH
 Receiving Stream (s) And Classifications: SEE APPEN-
 DIX A RECEIVING WATERS; OTHER

10/1/12

ESCGP-1 No.: ESX12-125-0112
 Applicant Name: MARKWEST LIBERTY MIDSTREAM
 & RESOURCES LLC
 Contact Person: MR RICK LOWRY
 Address: 601 TECHNOLOGY DRIVE SUITE 300
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): CROSS CREEK
 Receiving Stream(s) and Classifications: UNTs TO
 CROSS CREEK (WWF) AND CROSS CREEK (WWF);
 OTHER

10/12/12

ESCGP-1 No.: ESX10-005-0004 MINOR REVISION
 Applicant Name: EXCO RESOURCES (PA) LLC
 Contact Person: MR SCOTT SWEDER
 Address: 3000 ERICSSON DRIVE SUITE 200
 City: WARRENDALE State: PA Zip Code: 15086
 County: ARMSTRONG Township(s): RAYBURN
 Receiving Stream(s) and Classifications: UNT TO
 COWANSHANNOCK CREEK (WWF)/ COWANSHAN-
 NOCK CREEK WATERSHED (WWF); OTHER

10/9/12

ESCGP-1 No.: ESX12-125-0119
 Applicant Name: MARKWEST LIBERTY MIDSTREAM
 & RESOURCES LLC
 Contact Person: MR RICK LOWRY
 Address: 601 TECHNOLOGY DRIVE SUITE 300
 City: CANONSBURG State: PA Zip Code: 15317
 County: WASHINGTON Township(s): DONEGAL
 Receiving Stream(s) and Classifications: UNTs TO BUCK
 RUN, BUCK RUN; HQ

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of October 2012 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
John Biegalski	581 Lindsey Drive Wayne, PA 19087	Testing
William Dare	P. O. Box 75 Perkiomenville, PA 18074	Testing
Chris Dobson	P. O. Box 153 Centre Hall, PA 16828	Testing
Stephen Driscoll	1569 Hastings Mill Road Upper Saint Clair, PA 15241	Testing
Daniel Festa Festa Radon	47A Progress Avenue Cranberry Twp., PA 16066	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Technologies Co. Kevin Fischer, P.E.	P. O. Box 586 Yardley, PA 19067	Testing
Edward "Darbie" Lasorda	526 Ferncastle Drive Downingtown, PA 19335	Testing
Mitigation Specialists	1424 West 30th Street Erie, PA 16508	Mitigation
Jeffrey Nicholls	P. O. Box 400 Henryville, PA 18332	Testing
Randolph Payne	5333 Spring Valley Drive Pittsburgh, PA 15236	Testing
Roger Priest	P. O. Box 200 Salfordville, PA 18958	Mitigation
Tim Raufer VBinspect.com	210 Church Place Pittsburgh, PA 15206	Testing
Joseph Schwab	521 North Ramunno Drive Middletown, DE 19709	Testing
Marc Shanley	55 Country Acres Drive Kunkletown, PA 18058	Testing
John Urenovitch	P. O. Box 149 Drums, PA 18222	Testing
Diana Vaccarello	P. O. Box 373 Murrysville, PA 15613	Testing
Virtus Group, The	3544 North Progress Avenue Suite 200 Harrisburg, PA 17110	Testing
David Wotring	1389 Waterview Drive Scotrun, PA 18355	Testing

Public Hearing on Coal Preparation and Related NPDES Permit

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

Notice is hereby given that the Pennsylvania Department of Environmental Protection, District Mining Operations, has received an application from Matt Canestrone Contracting, Inc. to renew the coal preparation and related NPDES permit for the LaBelle Site, Permit Application No. 26961601.

The 30.4 acre site is located in Luzerne Township, Fayette County and East Bethlehem Township, Washington County. The permitted NPDES Discharge to the Monongahela River is located in East Bethlehem Township, Washington County, near Vestaburg, PA at Latitude 40° 00' 45" Longitude 79° 59' 22".

The public notice for the pending permit renewal and related NPDES application was published in the *Pennsylvania Bulletin* on July 28, 2012 (Volume 42, Number 30).

The Department will hold a public hearing on the permit renewal application at the Labelle Volunteer Fire Department located in Luzerne Township at 1101 LaBelle Road, LaBelle, PA 15450 on Wednesday, December 12, 2012, from 6:00 p.m. to 8:00 p.m.

The public hearing is being held at the request of the Center for Coalfield Justice, Sierra Club, and Environmental Integrity Project in addition to area residents.

A Department representative will be available to receive both written and oral testimony regarding the

application. Testimony will be placed into public record for the application and considered by Department staff in the application review process.

If you are a person with a disability wishing to attend this public hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Deborah Ferenci at (724) 769-1077 to discuss how we may accommodate your needs. If necessary, you may use the AT&T Relay Service by calling 1-800-654-5984 (TDD Users) or 1-800-654-5988 (Voice users) and request that your call be relayed to Deborah Ferenci at 724-769-1077.

Copies of the application are on file for public review, by appointment, at the Department of Environmental Protection, District Mining Operations, 25 Technology Drive, California Technology Park, Coal Center, PA 15423, Phone: 724-769-1100.

[Pa.B. Doc. No. 12-2198. Filed for public inspection November 9, 2012, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted.

The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft Technical Guidance—Substantive Revision

DEP ID: 400-0200-001. **Title:** Policy for Pennsylvania Natural Diversity Inventory (PNDI) Coordination During Permit Review and Evaluation. **Description:** The Department is revising its existing policy to clarify PNDI coordination within the permit review process. PNDI coordination will be conducted in a manner consistent with the requirements of the rules and regulations implemented by the Department. The Department and County Conservation District staff will follow this policy during the permit application review process.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by December 10, 2012. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Patricia Allan, Department of Environmental Protection, Policy Office, 16th Floor, 400 Market Street, Harrisburg, PA 17105 or RA-PTG_Comments@pa.gov.

Contact: Patricia Allan at (717) 783-8727 or RA-EPTG_Comments@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

DEP ID: 563-2504-001. **Title:** Conventional Bonding for Land Reclamation—Coal. **Description:** This guidance describes the regulatory and statutory requirements for determining bond amounts. It also establishes bond rates and the process for determining the bond for land reclamation. It is being revised to change the frequency of the review of the bond liability on a permit.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by December 10, 2012. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Chris Yeakle, Department of Environmental Protection, P. O. Box 669, Knox, PA 16232 or cyeakle@pa.gov.

Contact: Chris Yeakle, (814) 797-1191 or cyeakle@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-2199. Filed for public inspection November 9, 2012, 9:00 a.m.]

Public Hearing and Meeting of the Potomac Regional Water Resources Committee for Marsh and Rock Creek Critical Area Resource Plan

In accordance with 27 Pa.C.S. Chapter 31 (relating to water resources planning), the Department of Environmental Protection (Department) provides notice that the Potomac Regional Water Resources Committee (Committee) associated with the Department will hold a public hearing and meeting to solicit public comments on the proposed Marsh and Rock Creek Critical Area Resource Plan (Plan).

The Committee will hold a public meeting and hearing on December 12, 2012, at the Adams County Agricultural Center, 670 Old Harrisburg Road, Gettysburg, PA 17325. The public meeting will begin at 5:30 p.m. and the public hearing will start at 7 p.m.

The Marsh and Rock Creek Plan can also be accessed under "What's New:" on the Department's State Water Plan web site at <http://www.pawaterplan.dep.state.pa.us>.

Individuals who have questions or need further information, contact Jay Braund at jbraund@pa.gov or (717) 783-2402.

MICHAEL L. KRANCER,
Secretary

[Pa.B. Doc. No. 12-2200. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF HEALTH

Alternate Hearing Aid Disclosure Agreement Form

Under the Hearing Aid Sales Registration Law (act) (35 P. S. §§ 6700-101—6700-802), specifically section 207 of the act (35 P. S. § 6700-503.1), a disclosure agreement is required to be provided by a registrant (dealer or fitter holding a certificate of registration) to a consumer prior to the provision of any service. Further, 28 Pa. Code Chapter 25, Subchapter B (relating to hearing aid sales and registration), specifically 28 Pa. Code § 25.210(b) (relating to receipt, disclosure agreement and money back guarantee to purchaser—purchaser protection), provides the following guidance regarding the disclosure agreement requirement for registrants:

Before the provision of any service incidental to or connected with the potential sale of a hearing aid, the registrant shall provide a disclosure agreement and money back written guarantee to the prospective hearing aid user or authorized representative, and shall explain it in detail in accordance with subsec-

tion (c). This shall be in 10 point type or larger, and may be made out on more than one sheet of paper, but *shall employ the following format or be on a form approved by the Department:*
(Emphasis added.)

The "Department" as referenced in the previous regulation (28 Pa. Code § 25.210(b)) means the Department of Health. The Department of Health has approved the following Alternate Disclosure Agreement form as meeting the requirements of 28 Pa. Code § 25.210:

ALTERNATE HEARING AID DISCLOSURE AGREEMENT/MONEY BACK GUARANTEE

(Business Name) _____ (Business Address) _____
Telephone No. () _____

PART A.

<i>Description of services included in fitting procedure or process, and sale and delivery of hearing aid.</i>	<i>FEE</i> (State whether fee is waived if hearing aid purchased)	<i>REFUNDABLE</i> (Upon return of hearing aids)	<i>NOT REFUNDABLE</i>

HEARING EVALUATIONS OR TESTS PERFORMED PRIOR TO THE DATE OF THIS AGREEMENT THAT WERE REIMBURSED BY A THIRD PARTY PAYOR ARE NOTED AS SERVICES PREVIOUSLY RENDERED AND BILLED TO THIRD PARTY PAYOR. NO ADDITIONAL FEE HAS BEEN CHARGED FOR THESE SERVICES.

THIS DISCLOSURE AGREEMENT WAS PROVIDED, PARTS A AND B WERE EXPLAINED, AND PART A (FEES FOR SERVICES NOT PART OF THE PRICE OF THE HEARING AID) WAS COMPLETED AT _____ (time) ON _____ (date), BEFORE ANY SERVICES WERE PROVIDED. PART B (CANCELLATION FEES THAT WILL BE INCURRED IF A HEARING AID IS RETURNED UNDER THE 30-DAY MONEY BACK GUARANTEE BELOW), WAS COMPLETED AND EXPLAINED AFTER SERVICES WERE PROVIDED AND BEFORE ANY PAYMENT WAS MADE. IF PART B IS NOT COMPLETED, IT IS BECAUSE A HEARING AID WAS NOT RECOMMENDED OR NOT DESIRED.

NOTHING IN THIS DISCLOSURE AGREEMENT SHALL RELIEVE A REGISTRANT OF THE OBLIGATION TO REFUND ALL OR PART OF THE ABOVE FEES, INCLUDING THOSE LISTED AS NOT REFUNDABLE, IF A COURT DETERMINES THAT THE REGISTRANT HAS VIOLATED A PENNSYLVANIA CONSUMER PROTECTION LAW IN THE SALE OR FITTING OF THE HEARING AID (OR SIMILAR DEVICE) AND IF THE COURT ORDERS SUCH REFUND.

Customer's Signature

Registrant's Signature

PART B.

<i>HEARING AIDS & ACCESSORIES</i>		<i>DESCRIPTION of GOODS</i> —include make, model, serial number(s)	<i>PRICE</i>	<i>REFUNDABLE</i> (upon return of hearing aid)	<i>NOT REFUNDABLE</i> (Cancellation Fee)
Hearing Aid(s)	Right				
	Left				
Accessories (Describe, if applicable)					
TOTAL					
Total maximum Cancellation Fee is lesser of 10% or \$150 per hearing aid including accessories.					

30 Day Money Back Guarantee: If a hearing aid is returned within 30 days of date of delivery in the same condition, ordinary wear and tear excluded, you are entitled to a refund of the portion of the purchase price of the hearing aid and accessories as itemized on the receipt and above, less the cancellation fee stated above. If a cancellation fee is imposed the nonrefundable amount for each aid and accessories cannot exceed 10% of the purchase price of the hearing aid and accessories or \$150.00 per aid and accessories, whichever is less. You will, however, be responsible for all nonrefundable service fees listed in Part A. If you cancel your order prior to delivery, you are entitled to full refund of the purchase price of the aid and accessories, and a full refund for services not yet rendered.

Customer's Signature

Date and time of Sale

Registrant's Signature

Registration No.

DATE of DELIVERY

Customer's Signature or Initials

The approval of the use of this Alternate Disclosure Agreement form is effective upon publication of this notice in the *Pennsylvania Bulletin*.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of Community Program Licensure and Certification, Division of Home Health by the Hearing Aid Program, 132A Kline Plaza, Harrisburg, PA 17104, (717) 783-1379, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Services at (800) 654-5984.

MICHAEL WOLF,
Acting Secretary

[Pa.B. Doc. No. 12-2201. Filed for public inspection November 9, 2012, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Moravian Village of Bethlehem
634 East Broad Street
Bethlehem, PA 18018
FAC ID 15970201

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone numbers listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Acting Secretary

[Pa.B. Doc. No. 12-2202. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Double Shot Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Shot.

2. *Price:* The price of a Pennsylvania Double Shot instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Double Shot instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Cup (CUP) symbol and a Double Shot (DBLSHOT) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$20,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 13,800,000 tickets will be printed for the Pennsylvania Double Shot instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cup (CUP) symbol and a prize symbol of \$4.⁰⁰ (FOR DOL) appears under the Cup (CUP) symbol, on a single ticket, shall be entitled to a prize of \$4.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Shot (DBLSHOT) symbol and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the Double Shot (DBLSHOT) symbol, on a single ticket, shall be entitled to a prize of \$4.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cup (CUP) symbol and a prize symbol of \$2.⁰⁰ (TWO DOL) appears under the Cup (CUP) symbol, on a single ticket, shall be entitled to a prize of \$2.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Shot (DBLSHOT) symbol and a prize symbol of \$1.⁰⁰ (ONE DOL) appears under the Double Shot (DBLSHOT) symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match
Either Winning Number, Win Prize
Shown Under The Matching
Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets</i>
\$1 w/ DOUBLE SHOT	25	552,000
\$2 w/ CUP	25	552,000
\$2	30	460,000
\$2 × 2	75	184,000
\$2 w/ DOUBLE SHOT	50	276,000
\$4 w/ CUP	50	276,000
\$4	150	92,000
(\$2 w/ DOUBLE SHOT) + \$1	75	184,000
\$5 w/ CUP	150	92,000
\$5	150	92,000
\$2 × 5	750	18,400
\$5 × 2	750	18,400
\$5 w/ DOUBLE SHOT	300	46,000
\$10 w/ CUP	300	46,000
\$10	750	18,400
\$2 × 10	1,500	9,200
\$5 × 4	1,500	9,200
\$10 w/ DOUBLE SHOT	375	36,800
\$20 w/ CUP	500	27,600
\$20	1,500	9,200
\$5 × 5	3,000	4,600
(\$10 × 2) + \$5	3,000	4,600
\$20 + \$5	3,000	4,600
(\$5 w/ DOUBLE SHOT) × 2 + \$5	1,500	9,200
(\$10 w/ DOUBLE SHOT) + \$5	1,500	9,200
\$25 w/ CUP	1,500	9,200
\$25	3,000	4,600
\$5 × 10	6,000	2,300
\$10 × 5	6,000	2,300
\$25 w/ DOUBLE SHOT	1,714	8,050
\$50 w/ CUP	1,714	8,050
\$50	6,000	2,300
\$10 × 10	12,000	1,150
\$20 × 5	12,000	1,150
(\$10 w/ DOUBLE SHOT) × 5	3,429	4,025
\$50 w/ DOUBLE SHOT	3,429	4,025
\$100 w/ CUP	3,429	4,025
\$100	12,000	1,150
\$25 × 10	60,000	230
\$50 × 5	60,000	230
(\$25 w/ DOUBLE SHOT) × 5	13,333	1,035
(\$100 w/ DOUBLE SHOT) + \$50	15,000	920
\$250 w/ CUP	13,333	1,035

*When Any Of Your Numbers Match
Either Winning Number, Win Prize
Shown Under The Matching
Number. Win With:*

\$250
\$50 × 10
\$100 × 5
\$250 w/ DOUBLE SHOT
\$500 w/ CUP
\$500
\$1,000
\$20,000

Win:

\$250
\$500
\$500
\$500
\$500
\$1,000
\$20,000

*Approximate
Odds Are
1 In:*

60,000
120,000
120,000
40,000
60,000
120,000
30,000
690,000

*Approximate No.
Of Winners Per
13,800,000
Tickets*

230
115
115
345
230
115
460
20

Reveal a "CUP" (CUP) symbol, win prize shown under it automatically.

Reveal a "DOUBLE SHOT" (DBLSHOT) symbol, win double the prize shown under it.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Shot instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Shot, prize money from winning Pennsylvania Double Shot instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Double Shot instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Double Shot or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 12-2203. Filed for public inspection November 9, 2012, 9:00 a.m.]

Pennsylvania Harvest Gold Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Harvest Gold.

2. *Price:* The price of a Pennsylvania Harvest Gold instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Harvest Gold instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Cow (COW) symbol, Pig (PIGGY) symbol, Horse (HORSE) symbol, Sheep (SHEEP) symbol, Cow Bell (BELL) symbol, Barn (BARN) symbol, Milk (MILK) symbol, Chic (CHIC) symbol and a Tractor (TRCTR) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$100, \$400 and \$1,000. The player can win up to 4 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Harvest Gold instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(b) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$400 (FOR HUN) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$40⁰⁰ (FORTY) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$25⁰⁰ (TWY FIV) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$25.

(f) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) in the "prize" area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$10⁰⁰ (TEN DOL) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$5⁰⁰ (FIV DOL) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$4⁰⁰ (FOR DOL) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$2⁰⁰ (TWO DOL) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of \$1⁰⁰ (ONE DOL) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of \$1.

(l) Holders of tickets with a Tractor (TRCTR) symbol in the play area, and a prize symbol of FREE (TICKET) in the “prize” area under that Tractor (TRCTR) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Harvest Gold instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A “TRACTOR”
(TRCTR) Symbol In The Play
Area, Win Prize Shown
Under It. Win With:

	Win:
FREE	FREE \$1 TICKET
\$1	\$1
\$1 × 2	\$2
\$2	\$2
\$1 × 4	\$4
\$2 × 2	\$4
(\$1 × 2) + \$2	\$4
\$4	\$4
(\$1 × 3) + \$2	\$5
(\$2 × 2) + \$1	\$5
\$5	\$5
\$5 × 2	\$10
(\$4 × 2) + \$2	\$10
\$10	\$10
\$5 × 4	\$20
\$10 × 2	\$20
(\$5 × 2) + \$10	\$20
\$20	\$20
\$20 + \$5	\$25
\$25	\$25
\$10 × 4	\$40
\$20 × 2	\$40
(\$10 × 2) + \$20	\$40
\$40	\$40
\$25 × 4	\$100
(\$40 × 2) + (\$10 × 2)	\$100
\$100	\$100
\$100 × 4	\$400
\$400	\$400
\$1,000	\$1,000

Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
10	1,080,000
75	144,000
37.5	288,000
37.5	288,000
200	54,000
200	54,000
200	54,000
200	54,000
250	43,200
250	43,200
187.5	57,600
300	36,000
300	36,000
300	36,000
750	14,400
1,500	7,200
1,500	7,200
1,500	7,200
2,400	4,500
2,400	4,500
2,667	4,050
4,000	2,700
4,000	2,700
4,000	2,700
8,000	1,350
16,000	675
16,000	675
240,000	45
240,000	45
240,000	45

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Harvest Gold instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Harvest Gold, prize money from winning Pennsylvania Harvest Gold instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Harvest Gold instant lottery game, the

right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Harvest Gold or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 12-2204. Filed for public inspection November 9, 2012, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by The United Telephone Company of Pennsylvania, LLC, 100 CenturyLink Drive, Monroe, LA 71201.

The United Telephone Company of Pennsylvania, LLC is seeking to lease highway right-of-way located at 1675 Bucks Valley Road, Buffalo Township, Municipality of Liverpool, 2,674 square feet ± adjacent to SR 1020 for the purpose of placement of an electronic digital switch and associated equipment for the upgrade of area local communications.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Michael C. Keiser, P.E., District Executive, Engineering District 8-0, 2140 Herr Street, Harrisburg PA 17103-1699.

Questions regarding this application or the proposed use may be directed to Paulette Broody Alexander, Right-of-Way Representative, 2140 Herr Street, Harrisburg PA 17103-1699, (717) 787-1419.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 12-2205. Filed for public inspection November 9, 2012, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P. S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following is available for sale by the Department.

Worth Township, Centre County. The parcel contains 0.62 acre (27,007.20 square feet) of unimproved land situated at 584 North High Street, Port Matilda, PA 16870. The estimated fair market value is \$5,000.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Department of Transportation, Engineering District 2-0, Attn: Right-of-Way, 1924 Daisy Street Extension, Clearfield, PA 16830.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 12-2206. Filed for public inspection November 9, 2012, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
18-419	Department of Transportation Authorization to Verify Identification Number 42 Pa.B. 5627 (September 1, 2012)	10/01/12	10/31/12
11-249	Insurance Department Requirements for Qualified and Certified Reinsurers 42 Pa.B. 5629 (September 1, 2012)	10/01/12	10/31/12

**Department of Transportation
Regulation #18-419 (IRRC #2969)
Authorization to Verify Identification Number
October 31, 2012**

We submit for your consideration the following comments on the proposed rulemaking published in the September 1, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

1. Section 17.2. Applicability.—Need; Clarity.

Signed and dated

The proposed amendments add the phrase “signed and dated” to Section 17.2 so that the provision will read “. . . when it is impossible to obtain a *signed and dated* legible tracing or photograph . . .” (Emphasis added.) We have two concerns with the addition of the phrase “signed and dated.” First, Sections 17.4 and 17.5 address the verification and validation processes, including the signature of the authorized person. Therefore, it is not clear why the phrase “signed and dated” is needed in Section 17.2. Second, as a commentator pointed out, Section 17.2 does not specify who is qualified to provide the signature. For these reasons, we recommend either removing the phrase “signed and dated” from Section 17.2, or rewriting this provision to more clearly specify the requirements for signatures and dates.

Deletion of Paragraph (3)

Paragraph (3) currently requires verification “when the application for initial certificate of title is for a truck, truck-tractor, or motor home, regardless of source of ownership.” In the Preamble, the Department states it is deleting Paragraph (3) “upon the recommendation of the Pennsylvania Association of Notaries and others affected by this chapter.” On the other hand, a commentator questions why the verification required by Paragraph (3) would no longer be needed. In the final-form regulation submittal, we ask the Department to provide further explanation and justification for the deletion of Paragraph (3).

2. Miscellaneous clarity.

Throughout the regulation, the terms “public” or “nonpublic” vehicle identification number are used. It is not clear in the regulation what distinction is intended between “public” and “nonpublic” vehicle identification numbers. For clarity, we recommend either adding definitions to Chapter 17 or adding an explanation of these terms to Section 17.1.

**Insurance Department
Regulation #11-249 (IRRC #2970)
Requirements for Qualified and Certified
Reinsurers
October 31, 2012**

We submit for your consideration the following comments on the proposed rulemaking published in the September 1, 2012 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Insurance Department (Department) to respond to all comments received from us or any other source.

1. Section 161.3b. Calculation of credit for reinsurance regarding obligations secured with certified reinsurers.—Clarity.

Paragraph (b)(4)

The proposed regulation states, in part:

To facilitate the prompt payment of claims, a certified reinsurer will not be required to post security for catastrophe recoverables for 1 year from the date of the first instance of a liability reserve entry by the ceding company as a result of a loss from a catastrophic occurrence as recognized by the Commissioner.

As proposed, the Commissioner would determine whether an occurrence is considered to be catastrophic. A commentator believes that the term “catastrophic occurrence” should be defined by an objective means. We agree that defining the term may provide the regulated community with a clear understanding of when this provision would take effect. However, we also note that the proposed regulation follows the National Association of Insurance Commissioners (NAIC) model law and regulation, neither of which defines the term. We ask the Department either to define the term or explain its rationale for not doing so.

2. Miscellaneous clarity.

In our review, we found several cross-references which do not parallel the corresponding cross-references in the NAIC model law and regulation.

- § 161.3a(c)(3) cross-references subsection (a)(3)(ii). The corresponding provision, Section 8D(3) in the model regulation, cross-references subparagraph B(7)(a) [of this Section 8], which would be equivalent to § 161.3a(a)(5)(i).
- § 161.3a(c)(4) cross-references § 161.6. The corresponding provision, Section 8D(4) in the model regulation, cross-references subparagraph B(7)(b) [of this Section 8], which would be equivalent to § 161.3a(a)(5)(ii).
- § 161.3b(e) cross-references § 161.3a(b)(1). The corresponding provision, Section 8B(5) in the model regulation, cross-references subparagraph (4)(a), which would be equivalent to § 161.3a(a)(3)(ii)(B)(I).

The Department should review the rulemaking in its entirety before submitting it in final-form to ensure that all references are cited as intended.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 12-2207. Filed for public inspection November 9, 2012, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.rrrc.state.pa.us.

*Final-Form
Reg. No.*

Agency/Title

Received

*Public
Meeting*

125-156

Pennsylvania Gaming Control Board
Practice and Procedure; Server
Supported Slot Systems; Compulsive
and Problem Gambling

10/24/12

12/13/12

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 12-2208. Filed for public inspection November 9, 2012, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Masonic Villages of the Grand Lodge of Pennsylvania

Masonic Villages of the Grand Lodge of Pennsylvania has applied for a Certificate of Authority to operate four Continuing Care Retirement Communities at Masonic Village at Dallas in Dallas, PA, at Masonic Village at Elizabethtown in Elizabethtown, PA, at Masonic Village at Lafayette Hill in Lafayette Hill, PA and at Masonic Village at Sewickley in Sewickley, PA. The initial filing was received on October 25, 2012, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-2209. Filed for public inspection November 9, 2012, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Tony Cannon; file no. 12-188-128816; Trumbull Insurance Company; Doc. No. P12-10-018; December 11, 2012, 9:30 a.m.

Appeal of John Depietro; file no. 12-188-127748; Allstate Insurance Company; Doc. No. P12-10-017; December 12, 2012, 10 a.m.

The following hearings will be held in Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Charles Miller; file no. 12-114-124239; State Farm Fire and Casualty Insurance Company; Doc. No. P12-08-024; December 4, 2012, 1 p.m.

Appeal of Kaazim Muhammad; file no. 12-114-126370; State Farm Mutual Auto Insurance Company; Doc. No. P12-10-011; December 4, 2012, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-2210. Filed for public inspection November 9, 2012, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Marvin McDaniels; file no. 12-188-126923; Nationwide Property and Casualty Insurance Company; Doc. No. P12-09-017; December 4, 2012, 9 a.m.

Appeal of John P. Fernandez; file no. 12-183-124996; Great Northern Insurance Company; Doc. No. P12-08-021; December 4, 2012, 10 a.m.

Appeal of Sharon Muraresku; file no. 12-114-125910; Allstate Property and Casualty Insurance Company; Doc. No. P12-09-014; December 4, 2012, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 12-2211. Filed for public inspection November 9, 2012, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications Services

A-2012-2331884; A-2012-2331886; A-2012-2331888; A-2012-2331889; A-2012-2331890; and A-2012-2331891. Spectrotel of Pennsylvania, LLC, d/b/a One Touch Communications, d/b/a Surfstone, d/b/a Touch Base Communications. Application of Spectrotel of Pennsylvania, LLC, d/b/a One Touch Communications, d/b/a Surfstone, d/b/a Touch Base Communications for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC and Frontier Communications of Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 26, 2012. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at <http://www.puc.pa.gov/>, and at the applicant's business address.

Applicant: Spectrotel of Pennsylvania, LLC, d/b/a One Touch Communications, d/b/a Surfstone, d/b/a Touch Base Communications

Through and By Counsel: Brian T. FitzGerald, Esquire, Dewey & LeBoeuf, LLP, 99 Washington Avenue, Suite 2020, Albany, NY 12210

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 12-2212. Filed for public inspection November 9, 2012, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Condensed Statement of Changes in Net Assets

June 30, 2012 and 2011
AUDITED

	<i>Year to Date June 30, 2012</i>	<i>Year to Date June 30, 2011</i>
Total Revenues	\$ 8,932,910	\$ 8,159,860
Total Operating Expenses	\$ 28,491,215	\$ 24,320,256
Operating Gain (Loss)	\$ (19,558,305)	\$ (16,160,396)
Net Nonoperating Revenues (Expenses)	\$ 11,464	\$ (1,896,821)
(Loss) Gain Before Capital Grants	\$ (19,546,841)	\$ (18,057,217)
Capital Grants and Appropriations	\$ 81,896,118	\$ 59,345,822
Change in Net Assets	\$ 62,349,277	\$ 41,288,605
Net Assets, Beginning of Year (Restated)	\$ 307,442,315	\$ 266,153,710
Net Assets, End of Year	\$ 369,791,592	\$ 307,442,315

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 12-2213. Filed for public inspection November 9, 2012, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects during September 1, 2012, through September 30, 2012.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Southwestern Energy Production Company, Pad ID: Endless Mountain Recreation, ABR-201209001, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 4, 2012.

2. Talisman Energy USA, Inc., Pad ID: 05 112 Abell G, ABR-201209002, Warren Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 10, 2012.

3. Atlas Resources, LLC, Pad ID: Logue Pad B, ABR-201209003, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 11, 2012.

4. WPX Energy Appalachia, LLC, Pad ID: Beckley Well Pad, ABR-201209004, Franklin Township, Susquehanna

County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 11, 2012.

5. XTO Energy Incorporated, Pad ID: West Brown B, ABR-201209005, Moreland Township, Lycoming County, PA; Consumptive Use of Up to 4.500 mgd; Approval Date: September 14, 2012.

6. Southwestern Energy Production Company, Pad ID: Woosman Pad, ABR-201209006, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 18, 2012.

7. Southwestern Energy Production Company, Pad ID: Swope Pad, ABR-201209007, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 18, 2012.

8. Southwestern Energy Production Company, Pad ID: Mulloy Pad, ABR-201209008, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 18, 2012.

9. Southwestern Energy Production Company, Pad ID: Marvin Pad, ABR-201209009, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 18, 2012.

10. Southwestern Energy Production Company, Pad ID: Freitag Pad, ABR-201209010, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 18, 2012.

11. Chesapeake Appalachia, LLC, Pad ID: Gene, ABR-201209011, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 24, 2012.

12. Chesapeake Appalachia, LLC, Pad ID: Yencha, ABR-201209012, Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 24, 2012.

13. SWEPI, LP, Pad ID: Delaney 651, ABR-201209013, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 24, 2012.

14. Chesapeake Appalachia, LLC, Pad ID: Blueberry Hill, ABR-201209014, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 25, 2012.

15. Chesapeake Appalachia, LLC, Pad ID: Carr, ABR-201209015, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 25, 2012.

16. Talisman Energy USA, Inc., Pad ID: 01 099 Storch, ABR-201209016, Troy Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 25, 2012.

17. Southwestern Energy Production Company, Pad ID: Cooley (Pad 2), ABR-201209017, Orwell Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 25, 2012.

18. Southwestern Energy Production Company, Pad ID: Gypsy Hill-Eastabrook (Pad 5), ABR-201209018, Orwell Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 25, 2012.

19. Southwestern Energy Production Company, Pad ID: Rabago Birk (Pad 10), ABR-201209019, Herrick and Standing Stone Townships, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 25, 2012.

20. WPX Energy Appalachia, LLC, Pad ID: Wootton East Well Pad, ABR-201209020, Liberty Township, Sus-

quehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 25, 2012.

21. Chief Oil & Gas, LLC, Pad ID: Romisoukas Drilling Pad, ABR-201209021, Canton Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: September 25, 2012.

22. WPX Energy Appalachia, LLC, Pad ID: McLallen Well Pad, ABR-201209022, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 25, 2012.

23. WPX Energy Appalachia, LLC, Pad ID: Mordovan-
cey Well Pad, ABR-201209023, Choconut Township, Susquehanna County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 25, 2012.

24. Talisman Energy USA, Inc., Pad ID: 02 101 Olson, ABR-201209024, Hamilton Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 27, 2012.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: October 22, 2012.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 12-2214. Filed for public inspection November 9, 2012, 9:00 a.m.]

